

resident citizen of El Paso County as judge of the El Paso County Court at Law, as herein constituted, who shall hold such office until the next general election after his appointment, and until his successor shall have been elected and qualified, and all vacancies in said office shall also be filled by appointment by the Governor until the next general election thereafter. At the first general election in said county and at each general election thereafter there shall be elected by the qualified voters a judge of the El Paso County Court at Law, who shall be well informed in the laws of this State, who shall hold his office for two years and until his successor shall have been duly elected and qualified; provided that no person shall be eligible for judge of the El Paso County Court at Law by election, unless he shall be a citizen of the United States and of this State, who shall have been a practicing lawyer of this State or a judge of a court in this State for at least four years next preceding his election, and who shall have resided in the County of El Paso for two years next preceding his election.

Sec. 7. The judge of the El Paso County Court at Law shall execute a bond and take the oath of office as required by law relating to county judges.

Sec. 8. A special judge of the El Paso County Court at Law may be appointed or elected as provided by laws relating to county courts and the judges thereof.

Sec. 9. The county clerk of El Paso County shall be the clerk for the El Paso County Court at Law; the seal of said court shall be the same as that provided for county courts, except that the seal shall contain the words "El Paso County Court at Law." The sheriff of El Paso County shall, in person or by deputy, attend the court when required by the judge thereof.

Sec. 10. The jurisdiction and authority now vested by law in the County Court of El Paso County, for the selection and service of jurors shall be exercised by each of said courts, but juries summoned for either of said courts may by order of the judge of the court in which they are summoned be transferred to the other court for service therein and may be used therein as if summoned for the court to which they may thus be transferred.

Sec. 11. There shall be taxed and collected in the El Paso County Court at Law the same fees provided by law for county judges in similar cases, all of which shall be paid by the clerk monthly into the county treasury, and the judge of said court shall receive a salary of two thousand five hundred (\$2500) dollars annually, to be paid monthly out of the county treasury, upon order of the commissioners court.

Sec. 12. The judge of the El Paso County Court at Law may be removed from office in the same manner and for the same causes as any other county judge may be removed under the laws of this State.

Sec. 13. The county judge of El Paso County shall hereafter receive from the county treasury, in addition to the fees allowed him by law, such a salary, for the ex officio duties, not exceeding in the aggregate of fees and salary that which the existing laws provide for.

Sec. 14. The fact that the civil and criminal business of the County Court of El Paso County is so large as to render it impossible for said court to dispose thereof and to give proper time for trial of criminal causes, together with the large and increasing probate business in said court seriously obstructs the administration of the laws of said county, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

FORTIETH DAY.

Senate Chamber,
Austin, Texas,
Thursday, March 1, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Clark.
Bailey.	Dayton.
Bee.	Dean.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Caldwell.	Hall.

Harley.	Page.
Hopkins.	Parr.
Hudspeth.	Robbins.
Johnson of Hall.	Smith.
Johnston of Harris.	Strickland.
King.	Suiter.
Lattimore.	Westbrook.
McCollum.	Woodward.
McNealus.	

Absent.

Henderson.

Absent—Excused.

Decherd.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Clark.

Excused.

Senator Decherd, for today and indefinitely, on account of sickness, on motion of Senator Bee.

Petitions and Memorials.

See Appendix.

Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Hudspeth:

S. B. No. 445, A bill to be entitled "An Act to create a more efficient road law for Mason County, Texas, by amending Chapter 67 of the Special Laws of the Thirty-second Legislature, 1911, and to provide for the appointment of a superintendent of public roads and bridges for Mason County, and to provide his qualifications, term of office and salary, defining his duties and powers, and providing for punishment for violation of his duties; providing certain duties and powers of the commissioners court of said county; providing for the appointment of overseers and defining their duties; and providing for and fixing their compensation for certain labor; giving persons subject to road duty in Mason County and persons summoned to work the road in said county the right to be

relieved from the discharge of such upon the payment of specific sums of money herein stipulated; and providing for the accounting of and the disposition to be made of the money so paid; limiting the purpose for which road and bridge funds shall be used; authorizing and providing for the working of county convicts upon the public roads, and providing for the payment of officers fees; providing that delinquent poll tax payers shall be subject to three days road duty; requiring the tax collector of Mason County to furnish to the commissioners court a list of all persons who fail to pay their poll tax; providing for the condemnation of any lands needed for the widening, straightening, changing or draining of public roads; providing for the taking of timber, gravel, earth, stone or other material for the making or improving of public roads and bridges, providing the method in which payments shall be made for road work in Mason County; providing penalties for the violation of provisions of this Act; providing that this Act be cumulative of the general law, but shall control in Mason County in all cases wherein it conflicts with the general law on the subject of roads and bridges, and declaring an emergency."

Read first time and referred to the Committee on Roads, Bridges and Ferries.

By Senator Hudspeth:

S. B. No. 446, A bill to be entitled "An Act to amend Section 141, Chapter 124, of the General Laws of the Twenty-ninth (29th) Legislature, page 301, so as to except from the provisions thereof, incorporated cities and towns operating under special charter which have assumed the control of the public schools within their limits, and declaring an emergency."

Read first time and referred to the Committee on Educational Affairs.

By Senator Clark:

S. B. No. 447, A bill to be entitled "An Act to amend Chapter 10 of the Acts of the Thirty-third Legislature."

Read first time and referred to the Committee on Roads, Bridges and Ferries.

By Senator Parr:

S. B. No. 448, A bill to be entitled "An Act to aid the city of Corpus Christi in constructing and maintain-

ing sea walls, break waters, shore protections and jetties out into Corpus Christi Bay, in front of said city, and to fill in the space between such sea walls, break waters and shore protections with dredge spoils or other material for securing and protecting a portion of said city of Corpus Christi from overflow and ravages of storms, by donating and granting to said city of Corpus Christi the State ad valorem taxes collected on property and from persons in Nueces County, Texas, for a period of ten years, and to provide a penalty for their misapplication, and declaring an emergency."

Read first time and referred to the Committee on Towns and City Corporations.

By Senator Lattimore:

S. B. No. 449, A bill to be entitled "An Act to establish at Arlington, Tarrant County, Texas, a Junior Agricultural, Mechanical and Industrial College to be known as the Grubbs Vocational College, making an appropriation therefor, and declaring an emergency."

Read first time and referred to the Committee on Educational Affairs.

By Senator Lattimore:

S. B. No. 450, A bill to be entitled "An Act to amend Article 5661, Revised Civil Statutes of Texas, 1911, Title 86, Chapter 7, relating to the registration of chattel mortgages and to provide the effect to be given to the registration of such mortgages where the same relates to property sold to be thereafter attached to the realty as a fixture; to provide for a special book in which such chattel mortgages shall be registered; to regulate the manner of registering same, and to repeal all laws in conflict herewith, and declaring an emergency."

Read first time and referred to the Committee on Commerce and Manufactures.

By Senator Alderdice:

S. B. No. 451, A bill to be entitled "An Act to repeal Chapter 72, local and special laws of Texas, passed at the regular session of the Thirty-fourth Legislature, said chapter being an Act to create a special road law for Johnson County; to provide for a special road tax; to provide for four precinct road superintendents; providing for salaries and bonds of

said superintendents, and specifying duties of said precinct road superintendents, also the salary of county commissioners for road inspection; regulating the hiring of teams on said roads, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Robbins:

S. B. No. 452, A bill to be entitled "An Act to create a more efficient road system for Henderson County, Texas, making the county commissioners ex officio road commissioners, defining the duties of road commissioners; providing for the appointment of road overseers and defining their duties, terms of office, etc., requiring county commissioners to sectionize and class public roads, etc., providing for the working of county convicts and the payment of officers' costs; placing all road hands under the jurisdiction and in control of road commissioners and road overseers; providing for the duties of road hands, number of days required of each per year; relieving all persons liable to road duty upon the payment of \$4.00 on or before the first day of March of each year; compensating road commissioners for services rendered in supervising roads, permitting the commissioners court to compensate the road overseer for service rendered in excess of six days, providing that seventy-five per cent of the moneys collected in lieu of work on roads shall be placed in the county treasury, subject to the road division from whence it came; and providing that the remaining twenty-five per cent shall be placed in the county treasury to the credit of the commissioners precinct from which it came, to be expended at the option of the commissioner of such precinct; making this law cumulative of the General Laws of the State of Texas, and in case of conflict with the General Laws this Act shall control as to Henderson County; repealing an Act known as Chapter 3 of the Special Laws known as Henderson County road law, and declaring an emergency."

Read first time and referred to the Committee on Roads, Bridges and Ferries.

Simple Resolution No. 102.

By Senators Parr, Hudspeth and McNealus:

Whereas, there is now in the Senate Chamber the Hon. Patrick Dunn, a distinguished German-American citizen, therefore be it

Resolved, That he be invited to address the Senate on the unfortunate skirmish in Europe.

The resolution was read and adopted.

The gentleman addressed the Senate briefly.

(Senator Hudspeth in the chair.)

House Bill No. 364.

(Pending.)

Action recurred upon H. B. No. 364 as pending business.

The Chair laid before the Senate on second reading:

H. B. No. 364, A bill to be entitled "An Act to require the publication in some newspaper of general circulation of all notices now required by law or contract to be given of any act or proceeding, whether public or private, or relating to a judicial, executive or legislative matter, which notice is now authorized by law or contract to be made by posting notice in one or more public places; fixing a time of such publication, and the compensation; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senator Floyd offered the following amendment:

Amend the engrossed rider, page 3, line 1, by restoring the word "precinct" where it is stricken out of the bill.

Senator Johnson of Hall moved to table the amendment, which motion prevailed by the following vote:

Yeas—17.

Alderdice.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	McCollum.
Dayton.	Page.
Dean.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Hopkins.	Westbrook.
Hudspeth.	

Nays—7.

Bailey.	King.
Buchanan of Scurry.	Strickland.
Floyd.	Suiter.
Harley.	

Present—Not Voting.

Bee.

Absent.

Buchanan of Bell.	McNealus.
Henderson.	Woodward.
Lattimore.	

Absent—Excused.

Decherd.

Senator Dean offered the following amendment:

Amend the bill by adding at the end of Section 1 the following: "But notices of school trustee elections and of general elections are excepted from the provisions hereof."

On motion of Senator Johnson of Hall, the amendment was tabled by the following vote:

Yeas—15.

Caldwell.	Johnston of Harris.
Clark.	McCollum.
Dayton.	McNealus.
Dean.	Parr.
Gibson.	Robbins.
Hall.	Westbrook.
Hudspeth.	Woodward.
Johnson of Hall.	

Nays—12.

Bailey.	King.
Bee.	Lattimore.
Buchanan of Scurry.	Page.
Floyd.	Smith.
Harley.	Strickland.
Hopkins.	Suiter.

Present—Not Voting.

Alderdice.

Absent.

Buchanan of Bell. Henderson.

Absent—Excused.

Decherd.

(Lieutenant Governor Hobby in the chair.)

Senator Dean offered the following amendment:

Amend the bill, line 20, page 2, by inserting the words "not more

than" before the word "one," and by inserting before the word "fifty," line 21, page 2, the words "not more than."

On motion of Senator Hudspeth, the amendment was tabled.

Senator Hopkins offered the following:

Amend H. B. No. 364 by inserting in line 18, page 2, of printed bill, after the word "county," the following: "that has been established for a period of one year or more."

On motion of Senator Johnson of Hall, the amendment was tabled.

Senator Floyd offered the following amendment:

Amend H. B. No. 364, page 2, Section 1, by striking out everything in the section after the word "circulation," in line 5, and inserting in lieu thereof the following: "and in the newspaper having the greatest circulation in the precinct in which said cause arises."

On motion of Senator Johnson of Hall, the amendment was tabled by the following vote:

Yeas—19.

Alderdice.	Johnston of Harris.
Bailey.	Lattimore.
Bee.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Gibson.	Robbins.
Hall.	Westbrook.
Hudspeth.	Woodward.
Johnson of Hall.	

Nays—8.

Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	King.
Floyd.	Strickland.
Harley.	Sulter.

Present—Not Voting.

Dean.

Absent.

Henderson. Smith.

Absent—Excused.

Decherd.

Senator Lattimore offered the following amendment:

Amend the bill by adding at the end of Section 1 the following: "Provided, that nothing in this Act shall ever be held to prevent the parties to any instrument the ex-

cution of any provision of which requires notice to be given from contracting how such notice shall be given, and if in accordance with existing laws of this State."

Senator Johnson of Hall moved to table the amendment, which motion prevailed by the following vote:

Yeas—16.

Alderdice.	Johnson of Hall.
Bee.	Johnston of Harris.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Parr.
Gibson.	Robbins.
Hall.	Westbrook.
Hudspeth.	Woodward.

Nays—12.

Bailey.	Hopkins.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	Page.
Dean.	Smith.
Floyd.	Strickland.
Harley.	Sulter.

Present—Not Voting.

King.

Absent.

Henderson.

Absent—Excused.

Decherd.

The bill was read second time and passed to its third reading.

On motion of Senator Johnson of Hall, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 364 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Johnston of Harris.
Bailey.	King.
Bee.	Lattimore.
Buchanan of Bell.	McCollum.
Caldwell.	McNealus.
Clark.	Page.
Dayton.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Sulter.
Hopkins.	Westbrook.
Hudspeth.	Woodward.
Johnson of Hall.	

Nays—3.

Buchanan of Scurry. Strickland.
Floyd.

Present—Not Voting.

Dean.

Absent.

Henderson.

Absent—Excused.

Decherd.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Alderdice.	Lattimore.
Bailey.	McCollum.
Bee.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Dayton.	Robbins.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Suiter.
Hudspeth.	Westbrook.
Johnson of Hall.	Woodward.
Johnston of Harris.	

Nays—5.

Buchanan of Scurry.	Hopkins.
Dean.	King.
Floyd.	

Present—Not Voting.

Buchanan of Bell.

Absent.

Henderson.

Absent—Excused.

Decherd.

Reason for Vote.

I vote "No" on H. B. No. 364 for the reason that the bill as written defeats the very purpose which its proponents argued for its passage. I believe the bill as written shows undue partiality to the county seat newspapers and is unfair to the papers published outside the county seat.

FLOYD.

Senator Johnson of Hall moved to reconsider the vote by which H. B. No. 364 was passed and table the motion to reconsider.

The motion to table prevailed.

House Joint Resolution No. 15.

The Chair laid before the Senate as regular order on its third reading,

H. J. R. No. 15, Proposing to amend the Constitution of the State of Texas by amending Section 2 of Article 6 of the Constitution by striking out and repealing said Section 2 and substituting in lieu thereof another Section 2; defining qualified electors in this State; prescribing where such electors may vote; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment; making certain provisions for said election and the ballots thereof and method of voting; directing the issuance of proclamation therefor; prescribing certain duties for the Governor of the State, and making an appropriation to defray the expenses of said election."

Pending.

Refusal to Recess.

At 12:15 o'clock Senator Hopkins moved that the Senate recess until 2:30 o'clock p. m. today.

The motion was lost.

House Joint Resolution No. 15

(Pending.)

Action recurred upon H. J. R. No. 15, and Senator Caldwell moved the previous question on final passage of the resolution, which motion being duly seconded, the main question was ordered.

The resolution was laid before the Senate, read third time and failed of adoption by the following vote:

Yeas—15.

Alderdice.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Dayton.	Robbins.
Floyd.	Smith.
Gibson.	Suiter.
Hopkins.	Westbrook.
Johnson of Hall.	

Nays—11.

Bailey.	Hudspeth.
Bee.	McCollum.
Caldwell.	McNealus.
Dean.	Page.
Hall.	Parr.
Harley.	

Absent.

Clark. Strickland.
Henderson. Woodward.

Absent—Excused.

Decherd.

Senator Dean moved to reconsider the vote by which H. J. R. No. 15 was lost.

Senator Caldwell moved to table the motion to reconsider.

The motion to table was lost by the following vote:

Yeas—10.

Bailey. Hudspeth.
Bee. McCollum.
Caldwell. McNealus.
Hall. Page.
Harley. Parr.

Nays—16.

Alderdice. Johnson of Hall.
Buchanan of Bell. Johnston of Harris.
Buchanan of Scurry. King.
Dayton. Lattimore.
Dean. Robbins.
Floyd. Smith.
Gibson. Suiter.
Hopkins. Westbrook.

Absent.

Clark. Strickland.
Henderson. Woodward.

Absent—Excused.

Decherd.

The motion to reconsider is pending.

House Bill No. 38.

The Chair laid before the Senate as regular order on its third reading:

H. B. No. 38, A bill to be entitled "An Act to amend Articles 1521, 1522, 1543, 1544 and 1526 of the Revised Civil Statutes of 1911, as amended by the Acts of the Thirty-third Legislature, approved March 28, 1913, defining the original and appellate jurisdiction of the Supreme Court, and regulating the practice therein."

The bill was laid before the Senate, read third time and passed finally.

Senator Lattimore moved to reconsider the vote by which H. B. No. 38

was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 16.

The Chair laid before the Senate on its third reading:

H. B. No. 16, A bill to be entitled "An Act prohibiting manufacture or sale of road vehicles of certain carrying capacity with tires of less than the prescribed width within the State of Texas, fixing penalties for the violation thereof; providing the time at which such Act shall take effect, and declaring an emergency."

The bill was laid before the Senate, read third time and passed finally.

Senator Hudspeth moved to reconsider the vote by which H. B. No. 16 was passed and table the motion to reconsider.

The motion to table prevailed.

House Bill No. 138.

The Chair laid before the Senate on third reading:

H. B. No. 138, A bill to be entitled "An Act to be known as the interchangeable jury law, to regulate the selection, organization and custody of juries in all cases except capital and lunacy cases in counties where there are now three, or may hereafter be established three or more district courts, and to repeal all laws in conflict herewith."

The bill was laid before the Senate, read third time and finally passed.

Senator Lattimore moved to reconsider the vote by which H. B. No. 138 was passed and table the motion to reconsider.

The motion to table prevailed.

Recess.

At 12:25 o'clock, on motion of Senator Caldwell, the Senate recessed until 2:30 o'clock today.

After Recess.

The Senate was called to order by Lieutenant Governor Hobby.

At Ease.

By unanimous consent, the Chair announced that the Senate would be at ease for twenty minutes.

Senate Bill No. 328.

Senator Harley asked for unanimous consent to take up at this time Senate Bill No. 328.

There was objection.

Senate Bill No. 63.**Free Conference Committee Report.**

Committee Room,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate, and Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: We, your conference committee on S. B. No. 63, beg leave to report that we have met and adjusted the differences between the House and Senate and recommend to the House and Senate the adoption of the following report, to wit:

That the House recede from the following amendments made in the House:

First—In the insertion of the words "Mercantile establishment" after the word "workshop," line 3, page 2, Section 1.

Second—The insertion of the words "as for any other sufficient reason," in Section 5, line 20, page 3.

Third—That the House agree to reinstate the words "messenger service" with the following proviso: "messenger service in towns and cities of more than fifteen thousand population, according to the Federal census."

The Senate agrees to the House amendments striking out of Section 1 of the act the following words: "telegraph office, moving picture show, agency, office, public or private work or other place."

So that after the adjustment of differences in regard to Section 1, said Section 1 will read as follows:

"Section 1. Any person, or any agent or employe of any person, firm or corporation, who shall hereafter employ any child under the age of fifteen (15) years, to labor in or about any factory, mill, workshop,

laundry, theater or other place of amusement, or in messenger service in towns and cities of more than fifteen thousand population according to the Federal census, except as hereinafter provided, shall be deemed guilty of a misdemeanor, and upon conviction in a court of competent jurisdiction shall be punished by a fine of not less than twenty-five (\$25.00) dollars, nor more than two hundred (\$200.00) dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment. Provided, that nothing in this act shall be construed as affecting the employment of children on farms."

All of which is respectfully submitted.

WESTBROOK,
HUDSPETH,
HARLEY,
JOHNSON
McNEALUS,

On the part of the Senate.

WOODS,
McDOURA,
FAIRCHILD,
CANALES,
McCOY,
BURTON of Tarrant,

On the part of the House.

Senator Gibson moved that the Senate refuse to adopt the foregoing free conference committee report on S. B. No. 63.

Senator Westbrook, as a substitute, moved the adoption of the report, and upon that motion moved the previous question.

The motion for the previous question being duly seconded, the main question was ordered.

The free conference committee report on S. B. No. 63 was adopted by the following vote:

Yeas—18.

Bee.	King.
Buchanan of Scurry.	Lattimore.
Clark.	McCollum.
Dayton.	Page.
Dean.	Parr.
Floyd.	Smith.
Gibson.	Suiter.
Hudspeth.	Westbrook.
Johnson of Hall.	Woodward.

Nays—7.

Alderdice.	Harley.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston of Harris.
Hall.	

Present—Not Voting.

McNealus.

Robbins.

Absent.

Caldwell.

Strickland.

Henderson.

Absent—Excused.

Decherd.

Senator Westbrook moved to reconsider the vote by which the free conference committee report was adopted and table the motion to reconsider.

The motion to table prevailed.

(Senator Page in the chair.)

Messages from the House.

Hall of the House of Representatives.
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 11, A bill to be entitled "An Act to apportion the State of Texas into congressional districts, naming the counties composing the same, and providing for the election of a member of the Congress of the United States from each district, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency," with amendments.

C. S. S. B. No. 108, A bill to be entitled "An Act providing for State-wide tick eradication throughout the State of Texas, and to provide for the expenses of conducting the work in the several counties; to prescribe penalties for violations of this act and to provide process to compel compliance by the commissioners courts and the members thereof with the provisions of this act, and of orders and regulations of the State of Texas Live Stock Sanitary Commission, and repealing all laws and parts of laws in conflict herewith," with amendments.

H. B. No. 33, A bill to be entitled "An Act creating for Dallas County an additional county court at law; providing a name therefor; prescribing the jurisdiction thereof; providing for the election and qualification of the judge thereof; fixing the judge's compensation; specifying the terms of said court; prescribing the fees to be

collected by the judge thereof; prescribing the powers and duties of the judge thereof, etc.," with engrossed rider.

Concurs in Senate amendments to H. B. No. 38.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 373, A bill to be entitled "An Act providing for the extension by the Penitentiary Commission of the railroad now owned by the State, extending from Rusk, in Cherokee county, to Palestine, in Anderson County, to the city of Dallas, in Dallas County, and for its maintenance, equipment and operation; providing for condemning the right of way and material therefor; providing for condemnation proceedings; providing for the issuance of bonds by the Penitentiary Commission in an amount sufficient for the extension of said road; providing that said Penitentiary Commission may accept donations or gifts, either in money or lands or other necessities, for the extension of said road; providing that the rate of interest of said bonds shall be 5 per cent per annum; providing for the redemption of said bonds; providing that said bonds may be purchased at the option of the State Board of Education and State Treasury with the permanent school fund of the State of Texas; providing that the Railroad Commission of Texas shall have jurisdiction over the traffic carried on and over said road, and authorizing said Commission to compel a fair division of freight and passenger charges between said railroad and all connecting lines therewith; providing that said Penitentiary Commission shall enforce and obey the orders and regulations of the Railroad Commission; providing for working State convicts in the construction of said road, and providing that this act shall be cumulative of all other laws in force in this State, and declaring an emergency."

Concurs in Senate Amendments to
H. B. No. 16.

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the
Senate.

Sir: I am directed by the House to
inform the Senate that the House has
passed the following bills:

H. B. No. 238, A bill to be entitled
"An Act to provide a more adequate
system of laws relating to irrigation
and declaring the unappropriated
waters of the State the property of
the State; authorizing their appropriation,
storage and diversion for beneficial
uses; perpetuating the Board
of Water Engineers and prescribing
its powers, duties and compensation;
defining water rights and prescribing
the method of acquiring, perfecting
and preserving same; requiring appli-
cation to be made to the Board of
Water Engineers for permits to con-
struct storage, diversion and distribu-
tion works, and prescribing the meth-
od thereof; limiting the right to the
waters of the State to beneficial uses
and declaring forfeiture for abandon-
ment of use; prescribing standards for
the measurement of water; providing
a method for the determination of
water rights by the Board of Water
Engineers; authorizing appeals from
the decisions of the State Board of
Water Engineers, and regulating the
manner thereof; prescribing the
method of serving notices on claim-
ants and appropriators of water, and
declaring the effects of failure to ob-
serve the same; authorizing the issu-
ance of certificates of water rights
and the recording thereof; fixing cer-
tain fees; creating the office of Water
Commissioner and prescribing the
duties and compensation thereof; au-
thorizing the appointment of special
assistants and prescribing their du-
ties and compensation; dividing the
State into water divisions and pro-
viding for water districts; prescribing
the method for determining and re-
cording titles to irrigation works, and
establishing the period of limitation
to quiet titles thereto; regulating
partnership ditches; conferring the
right of eminent domain in aid of
construction of irrigation works; pro-
hibiting the seeding of Johnson grass
or Russian thistle on irrigation canals;

prescribing penalties for violation of
the provisions of this act; requiring
the making of annual report to the
Board of Water Engineers; requiring
the control of flowing artesian wells;
authorizing the chartering of corpora-
tions to construct and operate irriga-
tion and other works; authorizing
contracts for the supply and delivery
of water, and creating liens to secure
payment thereof; authorizing the ac-
quisition of lands by irrigation com-
panies, and requiring the alienation
thereof; repealing all laws in conflict
herewith, and declaring an emer-
gency," with engrossed rider.

S. B. No. 379, A bill to be entitled
"An Act to amend Section 1 of House
Bill No. 34 enacted by the Thirty-
fifth Legislature, and approved by the
Governor February 13, 1917, relating
to the creation of a juvenile board
within certain counties of this State,
and prescribing the duties and powers
of such board, including the appoint-
ment by it of probation officers, and
providing for the payment of compen-
sation of such officers, and allowing
the said district judges an additional
salary to be paid out of the general
revenue fund of such county, and de-
claring an emergency," with amend-
ments.

Refused to concur in Senate amend-
ments to H. B. No. 21 and requests
the appointment of a conference com-
mittee. The following have been ap-
pointed on part of the House:
Messrs. Carlock, Bledsoe, Miller of
Dallas. Williams of McLennan and
Robertson.

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the
Senate.

Sir: I am directed by the House to
inform the Senate that the House has
passed the following bills:

H. B. No. 450. A bill to be entitled
"An Act to amend subdivision 2, Art-
icle 7355, Chapter 1, Title 126, of the
Revised Statutes of the State of Texas
for 1911, levying an occupation tax
upon traveling venders of patent medi-
cines."

H. B. No. 599, A bill to be entitled
"An Act to amend Chapter 76, General
Laws, 1901, to create a more efficient
road system for Erath County, etc.,
and declaring an emergency."

H. B. No. 35, A bill to be entitled "An Act to establish and create a criminal judicial district of Dallas County, Texas, and to fix the territorial limits of said criminal judicial district, and to designate the criminal district courts that have jurisdiction in said criminal judicial district of Dallas County; to provide for the election, qualification, powers and compensation and expense of office of the criminal district attorney for said district; to provide for the appointment of assistants to the criminal district attorney, and to provide for their powers, duties and method of payment; and to provide for the present county attorney of Dallas County to assume the duties of and conduct the business of the criminal district attorney of Dallas County until his successor shall be elected and qualified, and repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House requests the Senate to return S. B. No. 379 for correction.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Senate Bill No. 379 Returned to the House.

On motion of Senator Lattimore the Senate granted the request of the House for the return of S. B. No. 379 to that body for correction.

Bills Read and Referred.

The Chair (Senator Page) had referred, after their captions had been read, the following House Bills:

H. B. No. 33, referred to the Committee on Civil Jurisprudence.

H. B. No. 373, referred to the Committee on State Affairs.

H. B. No. 450, referred to the Committee on Civil Jurisprudence.

H. B. No. 599, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 35, referred to the Committee on Criminal Jurisprudence.

Simple Resolution No. 103.

(By unanimous consent.)

Whereas, the carpet in the Senate is badly worn, full of germs and a disgrace to Texas,

Therefore be it resolved, That the Senate does hereby appropriate out of contingent funds of the Senate a sufficient amount to buy a nice carpet for the Senate Chamber and the Lieutenant Governor is hereby authorized to appoint a committee of three Senators to buy said carpet and have same laid.

CLARK,
HUDSPETH.

The resolution was read and adopted.

The Chair appointed Senators Hudspeth, Clark and Harley as a committee to purchase the carpet.

Senate Concurrent Resolution No. 1 Set as Special Order.

By unanimous consent and on request of Senator McNealus, S. C. R. No. 1 was set as a special order for next Friday, March 2, after the disposition of special orders set for that time.

Free Conference Committee on Senate Bill No. 11.

I move that Senate do not concur in House amendment to Senate Bill No. 11, but ask for free conference committee and that Dayton, Page, Smith, Gibson and Clark be elected on part of Senate.

DEAN.

The motion was adopted, carrying with it the election of the Senators named as members of such committee.

House Bill No. 48.

By unanimous consent, Senator Bee called up H. B. No. 48 and moved that the same be laid on the table subject to call.

The motion prevailed.

House Bill No. 226.

Senator Bee called up from the table and the Chair laid before the Senate, on second reading,

H. B. No. 226, A bill to be entitled "An Act for the purpose of promoting and improving the development of the country schools of the State by the appropriation of one million dollars each year, or such part thereof as may be necessary, for the next two fiscal years ending August 31, 1918, and 1919, respectively, by allowing the State Board of Education to aid any one school in any sum not exceeding five hundred dollars in any one year, and providing that schools receiving such aid be located and constructed in a certain way and having certain and necessary equipment, and providing for the employment of competent teachers; and said act further providing that no school having over three hundred scholars shall receive such aid, and providing that schools receiving such aid shall have had certain percentage of attendance with exceptions and providing said schools shall levy a local school tax of not less than fifty cents on the one hundred dollars valuation, and providing course of study for such country schools, and setting aside fifty thousand dollars of the appropriation annually for the relief of backward districts and giving the State Board of Education power to establish rules and regulations for the organization of such country schools and otherwise carrying out the intentions of this act, and defining the powers of the State Board of Education, and providing for assistants to the State Superintendent to be known as rural school supervisors, and providing for reports to be made to the State Board of Education, and providing for the manner of payment and disbursement of all money granted under the provisions of this act, and providing said schools can accept the benefits of this act without waiving the benefits and privileges of other laws, and providing certain funds for the payment of rural school supervisors and their traveling expenses, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Pending.

An Invitation.

The Chair laid before the Senate the following telegram:

San Antonio, Texas, March 1, 1917.

Hon. W. P. Hobby, Lt. Governor,
Austin, Texas.

On behalf of the citizens of San Antonio I hereby extend to the members of the State Legislature a most cordial invitation to visit the city of San Antonio. We will esteem it a privilege to have this honorable body as guests of this city and will do everything in our power to make their stay a pleasant one.

C. G. BROWN, Mayor.

On motion of Senator Bee the Senate accepted the invitation.

**Committee Substitute for Senate Bill
No. 108—House Amendments
Concurred In.**

Senator Parr called up, for the purpose of concurring in the House amendments,

C. S. for S. B. No. 108, A bill to be entitled "An Act providing for State-wide tick eradication throughout the State of Texas," etc.

The following House Amendments were laid before the Senate:

(1) Amend committee substitute to Senate Bill No. 108, Section 7, line 7, after the word "ordered," by striking out the words "to be" and inserting in lieu thereof the word "and."

(2) Amend committee substitute to Senate Bill No. 108, Section 8, by inserting after the list of counties in Zone 1, after the county "Val Verde," the following: "Provided that in Zone No. 1 as above established in this bill, that all counties that have heretofore by majority vote, voted to eradicate ticks, in said counties, that on and after April 1, 1917, the Live Stock Sanitary Commission of Texas shall have the power to compel any owner of cattle, horses, mules, asses or any other animal on which ticks may be, to dip said live stock under the rules and regulations of said Live Stock Sanitary Commission as provided in this act, and that all elections held prior to the taking effect of this act whereby any county in this State has by a majority vote voted to eradicate ticks,

is hereby in all things declared to be a valid election and is in all things ratified."

(3) Amend committee substitute Senate Bill No. 108, Section 8, Zone 3, by striking out of said zone the names of the following counties: Chambers, Harris, Hardin, Jefferson, Liberty and Orange, and placing said counties at the end of the list of counties in Zone 2, Section 8.

Amend amendment No. 3 by striking out "Chambers, Harris and Hardin" from the list of counties in Zone 2.

(4) Amend Committee Substitute Senate Bill No. 108, Section 9, line 21, by striking out the word "March" and inserting in lieu thereof the word "January."

(5) Amend Committee Substitute Senate Bill No. 108 by correcting the misspelled word "quarantine" where it appears spelled "quarentine" wherever it appears in the bill, and inserting after the letter "r" the letter "a" instead of "e."

(6) Amend Committee Substitute Senate Bill No. 108, Section 9, line 11, by striking out the word "March" and inserting in lieu thereof the word "January."

(7) Amend Committee Substitute Senate Bill No. 108 by adding after the last county mentioned in Zone 2 the word "Kinney."

(8) Amend Committee Substitute Senate Bill No. 108, page 8, by striking from line 17, Zone 2, "Gonzales," and insert "Gonzales" after "Grimes" in line 29.

(9) Amend Committee Substitute Senate Bill No. 108, Section 8, by striking out of Zone 2 the county of "Bastrop," and placing said county in Zone 3.

Senator Caldwell moved that the Senate do not concur in the amendments, but that a free conference committee be elected.

Senator Parr moved to table the motion for a free conference committee, and the motion to table prevailed by the following vote:

Yeas—16.

Bee.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Harley.	Westbrook.
Hudspeth.	Woodward.

Nays—5.

Caldwell.	Hopkins.
Floyd.	Suiter.
Gibson.	

Present—Not Voting.

Alderdice.	Hall.
Bailey.	McNealus.

Absent.

Henderson.	Smith.
Johnston of Harris.	Strickland.
McCollum.	

Absent—Excused.

Decherd.

On motion of Senator Parr, the Senate concurred in the House amendments, after the same had been read, by the following vote:

Yeas—23.

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	King.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McCollum.
Clark.	Page.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Westbrook.
Hall.	Woodward.
Harley.	

Nays—4.

Caldwell.	Strickland.
Hopkins.	Suiter.

Absent.

Henderson.	McNealus.
Johnston of Harris.	

Absent—Excused.

Decherd.

Senator Parr moved to reconsider the vote by which the Senate concurred in the amendments and table the motion to reconsider.

The motion to table prevailed.

Free Conference Committee Elected on House Bill No. 21.

Senator Dean made the following written motion:

I move that the Senate accede to the request of the House for a conference committee on H. B. No. 21, and that the following be elected on

the part of the Senate: Lattimore, Bee, Hudspeth, Bailey and Johnston of Harris.

The motion prevailed.

House Bill No. 226.

(Pending.)

Action recurred upon H. B. No. 226 as pending business, the question being upon the adoption of the majority (favorable) committee report.

Pending.

Recess.

Senator Hopkins made the following motion in writing:

We move that we recess until 8 o'clock tonight and that at the night session the regular order of business be suspended and the roll be called, and each Senator be permitted in order to take up and pass any bill or resolution about which there is no contest, and in case of contest or discussion such bill or resolution shall be immediately put aside and another bill or resolution called up.

HOPKINS ET AL.

Senator McNealus moved to amend the motion of Senator Hopkins et al. by providing that local House bills only shall be considered at the night session tonight.

Senator Strickland moved to table the amendment, which motion to table prevailed by the following vote:

Yeas—17.

Alderdice.	Johnson of Hall.
Bee.	Lattimore.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Clark.	Smith.
Floyd.	Strickland.
Hall.	Suiter.
Hopkins.	Westbrook.
Hudspeth.	

Nays—5.

Caldwell.	Harley.
Dayton.	Woodward.
Gibson.	

Present—Not Voting.

Johnston of Harris.	Parr.
King.	Robbins.
McCollum.	

Absent.

Bailey.	Henderson.
Dean.	

Absent—Excused.

Decherd.

Action recurred upon the motion to recess until 8 o'clock and the same prevailed.

After Recess.

(Night Session.)

The Senate was called to order by Lieutenant Governor Hobby.

House Bill No. 693.

The Chair laid before the Senate on second reading:

H. B. No. 693, A bill to be entitled "An Act to amend Articles 4, 5, 6, 7, 8, 9, 10 and 11 of an Act to provide a special road law for Denton County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

Senator Hopkins offered the following amendments, which were read and adopted, being voted upon separately:

(1) Amend H. B. No. 693, Section 1, by inserting in line 4, before the word "and" the word "be."

(2) Amend H. B. No. 693 by striking out the word "county" where it appears at end of line 3 of Section 8, and insert in lieu thereof the word "tax."

(3) Amend H. B. 693, Section 11, as follows: Line 3, insert the word "shall" before the word "after" and strike the same out before the word "fail."

Strike out lines 11 and 12 and all of 13 to and including the word "paid"; line 14, strike out the word "as" and insert in lieu thereof the word "or."

(4) Amend H. B. No. 693 by striking out Section 4 and insert in lieu thereof the following:

Sec. 4. The road overseers system is hereby abolished in Denton County, and the county commissioners are hereby constituted and shall serve as road commissioners for their respective precincts, and such commissioners are respectively authorized to employ such road superintendents and other employes as may

be necessary, subject to removal at any time by such commissioners, or the commissioners court, who shall receive such compensation and perform such services as may be prescribed by the commissioners' court.

On motion of Senator Hopkins, the bill was passed to its third reading.

House Bill No. 673.

The Chair laid before the Senate on second reading,

H. B. No. 673, A bill to be entitled "An Act creating the Skidmore Independent School District, known as Common School District No. 1 in Bee County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 670.

The Chair laid before the Senate on second reading,

H. B. No. 670, A bill to be entitled "An Act incorporating and creating the Knippa Independent School District of Uvalde County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 667.

The Chair laid before the Senate on second reading,

H. B. No. 667, A bill to be entitled "An Act incorporating and creating the Paducah Independent School District in Cottle County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 653.

The Chair laid before the Senate, on second reading,

H. B. No. 653, A bill to be entitled "An Act to create a special road law for Cherokee County, and providing for levying and collecting a road tax,

authorizing the commissioners court of said county to employ road superintendents and laborers on the public roads thereof, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 640.

The Chair laid before the Senate on second reading,

H. B. No. 640, A bill to be entitled "An Act to create the Wheeler Independent School District of Wheeler County, Texas, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 624.

The Chair laid before the Senate on second reading,

H. B. No. 624, A bill to be entitled "An Act creating the Abernathy Independent School District situated in Hale and Lubbock Counties, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and on motion of Senator Johnson of Hall passed to its third reading.

Messages from the House.

Hall of the House of Representatives,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. J. R. No. 19, Proposing submitting a certain proposed amendment to Section 51, Article 3, of the Constitution of the State of Texas, giving power to the Legislature of the State to grant pensions to Confederate soldiers and their widows who came to Texas prior to January 1, 1912, and prescribe the form of ballot authorizing and directing the Governor to issue proclamation for said election, and providing that the election be held on the first Tuesday after the first

Monday in November, 1917; directing the Secretary of State to publish copies of the proposed amendment in pamphlet form, to make publications required by the Constitution, and making an appropriation therefor, and also providing if the Governor should fail to issue the necessary proclamation, that it shall be the duty of the election officers in the several polling places throughout the State to open the polls and conduct the election as prescribed by law for holding elections for the election of State officers, and to make the returns thereof, as required by the Constitution and the laws of this State."

H. B. No. 630, A bill to be entitled "An Act to amend Sections 2, 8, 9, 12 and 40 of Chapter 148, Local and Special Laws of the State of Texas, passed by the Regular Session of the Thirty-third Legislature, same being a special road law for Fayette County, Texas, and declaring an emergency," with engrossed rider.

H. B. No. 636, A bill to be entitled "An Act creating a more efficient road system for Wichita County, Texas, etc., and declaring an emergency."

H. B. No. 651, A bill to be entitled "An Act to amend Article 2234 of the Revised Civil Statutes of Texas, relating to the Dallas Criminal District Court, changing said article so that it shall be discretionary with the judge of the Dallas Criminal District Court to impanel a grand jury for said court, instead of it being mandatory; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

H. B. No. 672, A bill to be entitled "An Act to create a more efficient road system for Callahan County, Texas, etc., and declaring an emergency."

H. B. No. 675, A bill to be entitled "An Act to permit the Enid, Ochiltree & Western Railroad Company and the owners of its properties, purchased at receiver's sale and its and their assigns, trustees and representatives, to take up and remove its railroad construction heretofore made from within the city of Dalhart, in Dallam County, Texas, to the terminus of its track, approximately thirteen miles in an easterly direction in Hartley County, Texas, and to sell and dispose of same and abandon the same, and declaring an emergency."

H. B. No. 706, A bill to be entitled "An Act to create a more efficient

road system for Henderson County, Texas, etc., and declaring an emergency."

H. B. No. 638, A bill to be entitled "An Act to reorganize the First Judicial District, to be composed of the counties of San Augustine, Sabine, Newton, Jasper and Orange; fixing the time for holding court therein, and after July 1, 1917, continuing the times of holding court therein as now provided by law until July 1, 1917; to validate process, bonds, recognizances heretofore issued or taken in the courts of said district, and to preserve and validate all judgments rendered or to be rendered in the courts in said district prior to July 1, 1917, and declaring an emergency."

H. B. No. 725, A bill to be entitled "An Act amending Section 14 of the Stephens county road law as enacted by the Regular Session of the Thirty-third Legislature, increasing the pay of each county commissioner from two to three dollars a day, or to an amount not exceeding one hundred and thirty-five dollars per quarter when acting as road commissioner, and declaring an emergency."

H. B. No. 716, A bill to be entitled "An Act to amend the present Runnels County Special Road Law in raising the salaries of the commissioners of said county, so that they may receive \$540 for their services in any one year, and raising the salaries for services upon the roads of said county, and prescribing the maximum that each county commissioner may receive while acting as road commissioner of said county, and declaring an emergency."

H. B. No. 409, A bill to be entitled "An Act to amend Article 3883 of the Revised Civil Statutes of the State of Texas of 1911, relating to fees of county officers," with engrossed rider.

H. B. No. 730, A bill to be entitled "An Act to amend Chapter 56 of the Special Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, being an act to amend Chapter 34 of the Special Laws of the Regular Session of the Thirty-second Legislature, being an act to amend Chapter 80 of the Special Laws passed by the Thirtieth Legislature of the State of Texas, approved April 15, 1907, and to amend Chapter 71 of the Special Laws passed by the Regular Session of the Thirty-first Legislature of the State of Texas, approved March

17, 1909, and to create a more efficient road law for Lee County, Texas, etc., and declaring an emergency."

S. B. No. 379, A bill to be entitled "An Act to amend Section 1 of House Bill No. 34, enacted by the Thirty-fifth Legislature, and approved by the Governor February 13, 1917, relating to the creation of a juvenile board within certain counties of this State, and prescribing the duties and powers of such board, including the appointment by it of probation officers, and providing for the payment and compensation of such officers, and allowing the said district judges an additional salary to be paid out of the general revenue fund of such county, and declaring an emergency," with amendments.

H. B. No. 715, A bill to be entitled "An Act to create a more efficient road system for Lampasas County, Texas, etc., and declaring an emergency."

H. B. No. 735, A bill to be entitled "An Act amending Section 1, Chapter 67, Special Laws of Texas, Acts of the Thirty-first Legislature, Regular Session, entitled 'An Act creating the Hamlin Independent School District in Jones county, Texas, etc.,' and declaring an emergency."

H. B. No. 750, A bill to be entitled "An Act creating and establishing the Kountze Corporate School District in Hardin County, Texas, etc., and declaring an emergency."

Adopted the report of the conference committee on S. B. No. 63.

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 652, A bill to be entitled "An Act to create a commission to make a compete educational survey of the State of Texas, including the institutions of higher learning and State departments doing extension work or semi-educational work."

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

Bills Read and Referred.

The Chair (Senator Westbrook) had referred, after their captions had been read, the following House bills:

H. B. No. 750, referred to the Committee on Educational Affairs.

H. B. No. 735, referred to the Committee on Educational Affairs.

H. B. No. 715, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 730, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 409, referred to the Committee on Civil Jurisprudence.

H. B. No. 716, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 725, referred to the Committee on Roads, Bradges and Ferries.

H. B. No. 638, referred to the Committee on Judicial Districts.

H. B. No. 706, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 675, referred to the Committee on Internal Improvements.

H. B. No. 672, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 651, referred to the Committee on Judicial Districts.

H. B. No. 636, referred to the Committee on Roads, Bridges and Ferries.

H. B. No. 652, referred to the Committee on Educational Affairs.

H. J. R. No. 19, referred to the Committee on Constitutional Amendments.

H. B. No. 630, referred to the Committee on Roads, Bridges and Ferries.

House Bill No. 621.

The Chair laid before the Senate on second reading,

H. B. No. 621, A bill to be entitled "An Act to amend Section 2 of Chapter 69, Acts of the Thirty-third Legislature, Regular Session, so as to enlarge the territory of the Hutchins Independent School District in Dallas County, Texas; and prescribing the metes and bounds thereof, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 354.

The Chair laid before the Senate on second reading,

H. B. No. 354, A bill to be entitled "An Act to reorganize the Thirty-eighth, the Fifty-first, the Sixty-third and the Seventieth Judicial Districts of the State of Texas, and to create the Eighty-second Judicial District of the State of Texas, and to prescribe the time and fix the terms of holding the courts in each of said judicial districts, and to conform all writs and process from such courts to such changes, and to provide for the appointment and election of a district judge and district attorney in said Eighty-second Judicial District, and to make all process issued or served before this Act takes effect, including recognizances and bonds returnable to the terms of the courts in the several districts as herein fixed; to validate such process and to validate the summoning of grand and petit jurors and juries; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 645.

The Chair laid before the Senate on second reading,

H. B. No. 645, A bill to be entitled "An Act creating and incorporating the Florence Independent School District in Williamson County, Texas, including the present Florence Independent School District, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 536.

The Chair laid before the Senate on second reading,

H. B. No. 536, A bill to be entitled "An Act creating a new road law for Travis County."

The committee report that the bill be not printed was adopted.

Senator Caldwell offered the following amendment, which was read and adopted:

(1) Amend H. B. No. 536 by striking out of Section 6 the following words:

"Every person liable to road duty under the general laws of this State relating to public roads, and the persons liable to work thereon who shall fail to pay the tax collector of Travis County said four dollars road tax on or before the first day of February, as provided in this Act, shall be liable, and it is hereby made their duty to work on, repair and clean out the public roads of the commissioner's precinct in which such person resides, under the direction and supervision of the road commissioner of such precinct, or under the direction of some person duly authorized by such road commissioner, for a period of five days."

The bill was read second time and passed to its third reading.

House Bill No. 620.

The Chair laid before the Senate, on second reading:

H. B. No. 620, A bill to be entitled "An Act creating the Tilden Independent School District in McMullen County, Texas, and defining its boundaries, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 609.

The Chair laid before the Senate on second reading:

H. B. No. 609, A bill to be entitled "An Act creating an independent school district to be known as the Woden Independent School District in Nacogdoches County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 690.

The Chair laid before the Senate, on second reading:

H. B. No. 690, A bill to be entitled "An Act to create the Liberty Hill Independent School District in Wil-

liamson County, Texas, including the present Liberty Hill District of said county, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading

House Bill No. 610.

The Chair laid before the Senate on second reading:

H. B. No. 610, A bill to be entitled "An Act to amend Section 3 of House Bill No. 647, Chapter 136, of the special law passed at the Regular Session of the Thirty-third Legislature relating to Tarrant County road system; providing for the raising of salaries of county commissioners of said county from \$2,000 to \$2,400 per annum, and making it the duty of said commissioners to furnish their own conveyance while performing the duties of road commissioner and defray the expense of upkeep of same."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 606.

The Chair laid before the Senate on second reading:

H. B. No. 606, A bill to be entitled "An Act creating and incorporating the Wilmer Independent School District in Dallas County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 593.

The Chair laid before the Senate, on its second reading:

H. B. No. 593, A bill to be entitled "An Act amending Chapter 74 (Senate Bill No. 349), Acts of the Thirty-third Legislature, correcting field notes so as to make same identical with field notes of Common School District No. 5 of San Patricio County, Texas, as created by the commissioners court of said county May 13, 1902, and recorded in Volume 2,

page 439, of the minutes of said court, and validating bonds issued by Common School District No. 5 of San Patricio County, Texas, and declaring same a legal and binding obligation outstanding against Mathis Independent District as hereinafter defined and described by metes and bounds, and declaring valid a maintenance tax heretofore levied, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 564.

The Chair laid before the Senate, on third reading:

H. B. No. 564, A bill to be entitled "An Act creating and incorporating the Ralls Independent School District in Crosby County, Texas, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 573.

The Chair laid before the Senate on second reading:

H. B. No. 573, A bill to be entitled "An Act creating a more efficient road system for Dickens County, Texas, and making county commissioners ex officio road commissioners of their respective precincts, and prescribing their powers and duties as such, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 542.

The Chair laid before the Senate on second reading:

H. B. No. 542, A bill to be entitled "An Act to amend Section 2, Chapter 30 of the Special Laws of the Thirty-first Legislature, as amended by Special Laws of the Thirty-second Legislature, being 'An Act to create a road commission for Jones, Haskell and Taylor Counties.'"

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 425.

The Chair laid before the Senate on second reading

H. B. No. 425, A bill to be entitled "An Act prescribing additional duties for the county attorney of Wichita County, and fixing his compensation for same."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

House Bill No. 478.

The Chair laid before the Senate on second reading:

H. B. No. 478, A bill to be entitled "An Act to amend Section 7 of Chapter 107, page 214, of the General Laws of the Thirty-second Legislature of 1911, and regulating the time for holding the district court in the various counties composing the Fifth-tieth Judicial District of Texas, so as to give Dickens County one more week, and validating processes, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and on motion of Senator Buchanan of Scurry was passed to its third reading.

House Bill No. 718.

The Chair laid before the Senate on second reading:

H. B. No. 718, A bill to be entitled "An Act to create a more efficient road system for Newton County, Texas, and creating the office of superintendent of public roads and bridges in said county, and providing for the appointment and discharge of superintendent, and prescribing his powers and duties, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

Senate Bill No. 451.

On motion of Senator Alderdice, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 451 put on its second reading by the following vote:

Yeas—22.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Woodward.
McNealus.	

Absent—Excused.

Decherd.	Henderson.
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The Chair laid before the Senate on second reading:

S. B. No. 451, A bill to be entitled "An Act to repeal Chapter 72, Local and Special laws of Texas passed at the Regular Session of the Thirty-fourth Legislature."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Alderdice, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 451 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Woodward.
McNealus.	

Absent—Excused.

Decherd.	Henderson.
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The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—22.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Suiter.
Hall.	Westbrook.

Absent.

Bailey.	Page.
Johnston of Harris.	Strickland.
McCollum.	Woodward.
McNealus.	

Absent—Excused.

Decherd.	Henderson.
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Senate Bill No. 208.

The Chair laid before the Senate on second reading:

S. B. No. 208, A bill to be entitled "An Act forbidding the transaction of business in Texas under an assumed name other than the real name or names of the individuals conducting such business, unless such individuals file in the office of the clerk of the county where such business is to be conducted a certificate containing the names and addresses of such persons; providing for the keeping of special record of such certificates by the county clerks of the State; providing for a filing fee to be paid the county clerk for filing such certificate; making it a misdemeanor not to comply with the provisions of this Act, and fixing a penalty for such failure."

The bill was read second time and passed to engrossment.

On motion of Senator Bee, the con-

stitutional rule requiring bills to be read on three several days was suspended and S. B. No. 208 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.
Hall.	Woodward.
Harley.	

Absent.

Bailey.	McNealus.
Johnston of Harris.	Page.
McCollum.	Robbins.

Absent—Excused.

Decherd.	Henderson.
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The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Alderdice.	Hudspeth.
Bee.	Johnson of Hall.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	Parr.
Clark.	Robbins.
Dayton.	Smith.
Dean.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.
Hall.	Woodward.
Hopkins.	

Absent.

Bailey.	McCollum.
Harley.	McNealus.
Johnston of Harris.	Page.

Absent—Excused.

Decherd.	Henderson.
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Senator Bee moved to reconsider the vote by which S. B. No. 208 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Concurrent Resolution No. 15.

The Chair laid before the Senate, on second reading,

S. C. R. No. 15, A Concurrent Resolution providing for the appointment of a committee to draft a bill embodying a complete revision of the statutes of this State relating to ad valorem taxation, together with such amendments, changes and additions as will provide an efficient law upon the subject, and providing a more efficient system for collection of delinquent taxes, providing a method to prevent double renditions of property and a more efficient system of bookkeeping for tax collectors, assessors and Comptroller; providing for the employment of an assistant and stenographer; authorizing the payment of salaries from the contingent expense fund of the House and Senate.

The resolution was read second time and

Senator Clark offered the following amendment:

Amend S. C. R. No. 15 on page 1, by striking out all of line 24.

Senator Buchanan of Bell moved to table the amendment.

The motion prevailed by the following vote:

Yeas—17.

Alderdice.	Harley.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Lattimore.
Dean.	Smith.
Decherd.	Strickland.
Floyd.	Suiter.
Gibson.	Woodward.
Hall.	

Nays—8.

Bee.	King.
Clark.	Parr.
Dayton.	Robbins.
Hudspeth.	Westbrook.

Absent.

Bailey.	McNealus.
Johnston of Harris.	Page.
McCollum.	

Absent—Excused.

Henderson.

The resolution was laid before the Senate, read second time and adopted by the following vote:

Yeas—13.

Alderdice.	Harley.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Lattimore.
Dean.	Smith.
Gibson.	Woodward.
Hall.	

Nays—10.

Bee.	Parr.
Clark.	Robbins.
Dayton.	Strickland.
Hudspeth.	Suiter.
King.	Westbrook.

Present—Not Voting.

Floyd.

Absent.

Bailey.	McNealus.
Johnston of Harris.	Page.
McCollum.	

Absent—Excused.

Decherd.

Henderson.

Senate Bill No. 417.

The Chair laid before the Senate, on second reading,

S. B. No. 417, A bill to be entitled An Act creating the Aspermont Independent School district in Stonewall County, Texas; defining its metes and bounds; vesting it with rights, powers, duties and privileges of independent school districts incorporated for free school purposes under the General Laws of this State; providing a board of trustees therefor; providing that the outstanding indebtedness of the Aspermont Independent School District as same was incorporated under the General Laws of this State shall be assumed by the Aspermont Independent School District as created by this Act, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 417 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.

Absent.

Bailey.	McNealus.
Johnston of Harris.	Page.
McCollum.	

Absent—Excused.

Decherd.	Henderson.
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The bill was laid before the Senate, read the third time and passed by the following vote:

Yeas—24.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.

Absent.

Bailey.	McNealus.
Johnston of Harris.	Page.
McCollum.	

Absent—Excused.

Decherd.	Henderson.
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Bills and Resolutions.

(By unanimous consent.)

By Senators Strickland and Smith:

S. B. No. 453, A bill to be entitled "An Act fixing the salary of the Railroad Commissioners of this State, and repealing all laws in conflict herewith."

Read first time and referred to Committee on State Affairs.

By Senator Parr:

S. B. No. 454, A bill to be entitled "An Act to aid the City of Port Aransas, in Nueces County, Texas, by releasing the inhabitants thereof and the property therein from the payment of State ad valorem taxes for a period of five years."

Read first time and referred to Committee on Towns and City Corporations.

(Senator Westbrook in the chair.)

Senate Bill No. 241.

The Chair laid before the Senate, on second reading,

S. B. No. 241, A bill to be entitled "An Act to amend Subdivisions 1, 2, 6 and 7 of Article 1130, Chapter 2, Title 15 of the Revised Criminal Statutes of the State of Texas, passed by the Regular Session of the Thirtieth-second Legislature, 1911, relating to the fees allowed to sheriffs and constables in all cases when the charge is felony."

Senator Caldwell offered the following amendments, which were read and adopted, being voted on separately:

(1) Amend S. B. No. 241 by inserting in line 14, page 2, after the words "but shall" the word "only."

(2) Amend S. B. No. 241 by striking out of lines 14 and 15, page 1, printed bill, the words "Revised Criminal Statutes of the State of Texas, passed by" and insert in lieu thereof the words "Code of Criminal Procedure of the State of Texas, adopted at."

(3) Amend S. B. No. 241 by adding Section 2 as follows:

"Section 2. The importance of the subject matter of this bill, the crowded condition of the calendar and the near approach of the end of the session creates an emergency and imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days in each house be suspended, and it is so suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

(4) Amend caption of S. B. No. 241 by striking out in lines 8 and 9 the words "Revised Criminal Statutes of the State of Texas, passed by" and insert in lieu thereof the words "Code

of Criminal Procedure of the State of Texas, adopted at."

(5) Amend caption of S. B. No. 241 by adding at end of line 11, page 1, the following: "and declaring an emergency."

Senator Suiter offered the following amendment:

(6) Amend S. B. No. 241 by striking out the word "fifteen" where it appears in line 26, page 2, and line 15, page 3, and insert in lieu thereof the word "five."

Senator Dean offered the following substitute for the pending amendment:

Substitute for pending amendment No. 6, strike out "fifteen" and insert in lieu thereof "ten."

Senator Suiter moved to table the substitute, which motion was lost.

The substitute was then adopted.

The amendment as substituted was then adopted.

The bill was read second time and on motion of Senator Caldwell was passed to engrossment by the following vote:

Yeas—16.

Bee.	Harley.
Buchanan of Scurry.	Hudspeth.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Robbins.
Gibson.	Strickland.
Hall.	Woodward.

Nays—8.

Alderdice.	Johnson of Hall.
Buchanan of Bell.	Smith.
Floyd.	Suiter.
Hopkins.	Westbrook.

Absent.

Bailey.	McNealus.
Johnston of Harris.	Page.
McCollum.	

Absent—Excused.

Decherd.	Henderson.
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On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 241 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Bee.
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Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Harley.	Westbrook.
Hopkins.	Woodward.

Absent.

Bailey.	McNealus.
Johnston of Harris.	Page.
McCollum.	

Absent—Excused.

Decherd.	Henderson.
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The bill was laid before the Senate, read third time and passed finally.

Senator Caldwell moved to reconsider the vote by which Senate Bill No. 241 was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 424.

The Chair laid before the Senate on second reading:

S. B. No. 424, A bill to be entitled "An Act to amend Chapter 69 of the Special Laws passed at the Regular Session of the Thirty-second Legislature, and approved by the Governor on March 23, 1911, being an Act entitled 'An Act incorporating the Winnsboro Independent School District in Wood and Franklin Counties, Texas, for free school purposes only, defining its boundaries and providing a board of trustees,' divesting the City of Winnsboro of the control of its public schools and title to school property and vesting the same in said Winnsboro Independent School District and its board of trustees, prescribing the rights, powers, privileges and duties of said Winnsboro Independent School District and its board of trustees, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Suiter, the constitutional rule requiring bills to

be read on three several days was suspended and Senate Bill No. 424 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	

Absent.

Bailey.	McNealus.
Johnston of Harris.	Page.
McCollum.	Woodward.

Absent—Excused.

Decherd. Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—23.

Alderdice.	Hopkins.
Bee.	Hudspeth.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	King.
Caldwell.	Lattimore.
Clark.	Parr.
Dayton.	Robbins.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	

Absent.

Bailey.	McNealus.
Johnston of Harris.	Page.
McCollum.	Woodward.

Absent—Excused.

Decherd. Henderson.

Senate Bill No. 447.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 447 put on its second reading by the following vote:

Yeas—22.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.

Absent.

Bailey.	Page.
Johnston of Harris.	Suiter.
McCollum.	Woodward.
McNealus.	

Absent—Excused.

Decherd. Henderson.

The Chair laid before the Senate on second reading:

S. B. No. 447, A bill to be entitled "An Act to amend Chapter 10 of the Acts of the Thirty-third Legislature creating a more efficient road system for Colorado County."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 447 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Page.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	McNealus.
Johnston of Harris.	Robbins.
Lattimore.	Suiter.
McCollum.	Woodward.

Absent—Excused.

Decherd. Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd. Henderson.

Senate Bill No. 379—House Amendments Concurred In.

Senator Lattimore called up for the purpose of concurring in the House amendments to

S. B. No. 379, A bill to be entitled "An Act to amend Section 1 of House Bill No. 34, enacted by the Thirty-fifth Legislature and approved by the Governor February 13, 1917, relating to the creation of a juvenile board within certain counties of this State, and declaring an emergency."

The Chair laid before the Senate, the following House amendments:

Amend the committee substitute to S. B. No. 379 by substituting for said committee substitute the following: Amend S. B. No. 379 by striking out all after the enacting clause and substitute the following for Section 1 of the bill:

Section 1. That Section 1 of House Bill No. 34, enacted by the Thirty-fifth Legislature and approved by the Governor of the State of Texas on the 13th day of February, 1917, be and the same is hereby amended so as to hereafter read as follows:

Section 1. In any county of this State having a population of one

hundred thousand or over, and containing a city having a population of seventy thousand or over, according to the United States census of 1910, the judges of the several district courts of such county, together with the county judge of such county, are hereby constituted a juvenile board for such county.

The amendments were read and concurred in by the following vote:

Yeas—22.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.

Absent.

Bailey.	Page.
Johnston of Harris.	Suiter.
McCollum.	Woodward.
McNealus.	

Absent—Excused.

Decherd. Henderson.

Senate Bill No. 311.

The Chair laid before the Senate on second reading:

S. B. No. 311, A bill to be entitled "An Act authorizing the county commissioners court of Grayson County Texas, to appropriate money for the purpose of using additional farm demonstration agents and for a canning club demonstration agent."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Dayton, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 311 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Clark.
Bee.	Dayton.
Buchanan of Bell.	Dean.
Buchanan of Scurry.	Floyd.
Caldwell.	Gibson.

Hall.	Lattimore.
Harley.	Parr.
Hopkins.	Robbins.
Hudspeth.	Smith.
Johnson of Hall.	Westbrook.
King.	

Absent.

Bailey.	Page.
Johnston of Harris.	Strickland.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd. Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—22.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Suiter.
Hall.	Westbrook.

Absent.

Bailey.	Page.
Johnston of Harris.	Strickland.
McCollum.	Woodward.
McNealus.	

Absent—Excused.

Decherd. Harley.

Senate Bill No. 46.

The Chair laid before the Senate on second reading:

S. B. No. 46, A bill to be entitled "An Act to amend Article 7684 of the Revised Civil Statutes of 1911, by providing a period of limitation within which action must be brought to foreclose liens upon land securing taxes, providing a period within which such liens shall become barred."

Senator Dean offered the following amendments:

(1) Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That Section 1 of Chapter 147 of the General Laws

passed by the Regular Session of the Thirty-fourth Legislature be amended so as to hereafter read as follows:

Section 1. Hereafter in all counties of the State not later than the 1st day of August, 1917, and not later than the 1st day of June each year thereafter it shall be the duty of the collector of taxes to mail to the address of every record owner of any lands or lots situated in such counties a notice showing the amount of taxes appearing delinquent or past due and unpaid for the next preceding five years against all such lands and lots according to the delinquent tax records of their respective counties on file in the office of the tax collector, a duplicate of which shall also have been filed in the office of the Comptroller of Public Accounts of the State of Texas and approved by such officer; such notice shall also contain a brief description of the lands or lots appearing delinquent for the said next preceding five years and the various sums or amounts due against such lands or lots for each year they appear to be delinquent since said date according to such records; and it shall also be the duty of the tax collectors of the various counties of the State within ten days thereafter to furnish to the county or district attorneys of their respective counties duplicates of all such statements mailed to the taxpayers in accordance with the provisions of this Act, together with similar statements, or in lieu thereof, lists of lands and lots located in such counties containing amounts of State and county taxes due and unpaid for and during the next preceding five years and the years for which due on lands or lots appearing on such records in the name of "Unknown" or "Unknown Owners," or in the name of persons whose correct address or place of residence in or out of the county said tax collector is unable by the use of due diligence to discover or ascertain, and it shall be the further duty of the tax collector to furnish on demand of any person or persons, firm or corporation, like statements with reference to any particular lot or tract of land for whatever purpose desired, which shall be in all instances certified by him with the seal of his office attached; said notices or statements herein provided for shall also recite that unless the owner or owners of such lands or

lots described therein shall pay to the tax collector the amount of taxes, interest, penalty and costs set forth in such notice within ninety days from the date of notice, then and in that event the county or district attorney will institute suits for the collection of such moneys and for the foreclosure of the constitutional lien existing against such lands and lots; and whenever any person or persons, firm or corporation shall pay to the tax collector all of the taxes, interest, penalties and costs shown by the records aforesaid to be due and unpaid against any tract, lot or parcel of land for all of the next preceding five years for which said taxes may be shown to be due and unpaid, then it shall be the duty of the tax collector to issue to such person or persons, firm or corporation a receipt covering such payment as is now required by law.

Sec. 2. That Section 2 of said Act be so amended as to hereafter read as follows:

Section 2. In making up the notices or statements provided for in Section 1 of this Act it shall be the duty of the tax collectors of the various counties in the State to rely upon the delinquent tax records compiled under the provisions of Article 7685 and Article 7707 of the Revised Civil Statutes of the State of Texas for 1911, or upon delinquent tax records prepared by the tax collector as hereafter provided, which have been approved, or which may hereafter be approved, by the commissioners courts of such counties and a duplicate of which has been filed or may hereafter be filed in the office of the Comptroller of Public Accounts of the State of Texas and approved by such State officer. It shall be the duty of the tax collector of any county in this State which does not have a delinquent tax record compiled under the provisions of Article 7685 and Article 7707 that has been approved by the commissioners court and the State Comptroller, or that may hereafter be so approved, to make in duplicate a full and complete delinquent tax record of such county showing all taxes delinquent for and during the next preceding five years against all lands and lots situated in said county, the amount of taxes delinquent, due and unpaid against all such lands and lots for each and every year since said date, and the name and address

of the owner of each tract, lot or parcel of land; and it shall be his duty whenever there shall be as many as two years of back taxes that have not been included in the delinquent tax record of the county to prepare or cause to be prepared in duplicate a supplement to such records. Said delinquent tax record or supplement thereto when completed by the tax collector, shall be submitted to the commissioners court for its approval, and if approved by said court shall be furnished to the Comptroller of Public Accounts subject to his approval. The tax collector, in making up said delinquent tax record and supplement, shall examine the records of the district court and the county clerk's office of his county, and no tract of land shall be shown delinquent on said delinquent tax record for any year where the records of the district court or the county clerk's office show that the taxes for the next preceding five years have been paid. It shall not be necessary to publish said delinquent tax records and supplements thereto if the delinquent list for each year has been advertised as required by Article 7692 of the Revised Civil Statutes of 1911. To enable the tax collector to comply with the provisions of Section 1 of this Act it shall be the duty of the tax assessors of the various counties of the State to hereafter enter the postoffice address of each and every taxpayer after his name on the tax rolls, and the Comptroller shall hereafter provide a column for the entry of such address on the sheets furnished the assessors for making up the tax rolls; provided that where the name and address of the record owner of any land or lots against which taxes are delinquent, past due and unpaid for any years during the next preceding five years, are unknown and cannot by reasonable diligence be ascertained by the tax assessor, it shall be the duty of the tax collector in making up the delinquent tax records and supplements thereto to examine the records of the county clerk's office and of the district court and ascertain the name and address of such record owner and enter the same upon the delinquent tax records or supplements and furnish the same to the tax assessor for his records.

Sec. 3. That Section 3 of Chapter 147 of the General Laws of the Regular Session of the Thirty-fourth

Legislature be amended so as to hereafter read as follows:

Section 3. Not later than January 1, 1918, and not later than January 1 of each year thereafter in each county of this State it shall be the duty of the county attorney, or of the district attorney, if there be no county attorney, to file and institute suits, as otherwise provided by law, for the collection of all taxes delinquent and due at the time of filing said suit since the year 1912 on lands or lots situated in such county; together with interest, penalties and costs then due as otherwise provided by law; provided, that for the work of filing such suits the county or district attorney shall receive a fee of five dollars for the first tract of land included in each suit, and one dollar for each additional tract included therein; provided, that where unimproved town lots are sued upon or included in a suit with other land or improved town lots in the same town, only one such additional fee shall be added for each twenty lots or any number less than twenty; and provided, further, that in counties containing over fifty thousand inhabitants such attorney's fee shall be two dollars and a half for the first tract and fifty cents for additional tracts, as above provided.

The tax collector shall receive for making the delinquent record or supplements thereto, where necessary under the provisions of this Act, the sum of five cents for each and every item of yearly delinquencies entered on said delinquent tax record or supplement and the sum of five cents for each and every item of yearly delinquencies entered on the supplement to such delinquent tax record, such compensation to be paid out of the general fund of the county upon the completion of such record or supplement and not to be included in estimating the maximum amount the tax collector shall receive under the provisions of the fee bill. The tax collector shall also receive as compensation for the additional duties herein imposed upon him a commission of five per cent on the amount of all delinquent taxes collected.

The tax assessor for the additional burdens placed upon him by the provisions of this Act shall receive such compensations, to be paid out of the general fund of the county as the commissioners court may determine to be just and reasonable, such com-

pensation not to be included in determining the maximum amount the tax assessor shall receive under the provisions of the fee bill.

Sec. 4. That Article 7684 of the Revised Civil Statutes of the State of Texas be amended so that said Article shall hereafter read as follows:

Delinquent Taxes a Lien on Land—

All lands or lots which have been returned delinquent or reported sold to the State, or to any city or town, for taxes due thereon since the first day of January, A. D. 1907, or which may hereafter be returned delinquent or reported sold to the State, or to any city or town, shall be subject to the provisions of this Act, and said taxes shall remain a lien upon the said land, although the owner be unknown, or though it be listed in the name of a person not the actual owner; and though the ownership be changed, the land may be sold under the judgment of the court for all taxes, interest, penalty and costs shown to be due by such assessment for any year subsequent to 1906; provided that the State, or any county, city, town or any subdivision of this State, shall bring its action in a court of competent jurisdiction within two years after this Act takes effect on all taxes heretofore accrued since January 1, 1907, and up to January 1, 1914, and provided that the State or any county, city, town or any subdivision of any county of this State, shall bring action in a court of competent jurisdiction within four years after this Act takes effect, on all taxes which have accrued since January 1, 1914, and for all taxes which may hereafter accrue to the State or to any county, city, town or any subdivision of any county of this State; suit shall be brought within five years after the accrual thereof, and in case suit is not filed within the time specified and limited herein, then the lien to secure said taxes shall be forever barred and no suit can thereafter be maintained for foreclosure thereof.

Sec. 5. Article 7662, Revised Civil Statutes of the State of Texas, is hereby amended so that said Article shall read as follows:

Neither the State nor any county, city, town, school district or any district within this State shall have the right hereafter to foreclose any lien on lands within this State for any taxes accruing prior to January 1, A. D. 1907, and all liens for taxes ac-

cruing prior to January 1, 1907, on lands within this State are hereby declared to be barred and such lands are hereby discharged of and from such liens.

Sec. 6. The provisions of this Act shall apply to pending suits as well as to suits hereafter to be filed.

Sec. 7. All laws and parts of laws in conflict herewith, are hereby repealed.

Sec. 8. If any provisions of this Act shall be held invalid, for any reason, such holding shall not have the effect of nullifying the remaining parts of this Act, but the parts not held to be invalid shall remain in full force and effect.

Sec. 9. Whereas, there is great confusion and uncertainty growing out of the fact that in many counties of this State, the records in the offices of the county tax collectors show that many tracts of land are delinquent for taxes for years prior to 1907, when in truth and in fact the taxes have been paid thereon; and,

Whereas, suits in many instances have been brought and other cases are threatened, for the recovery of taxes where lands have changed hands, and where it occurs in the offices of the collectors of taxes of this State, show lands to be delinquent for taxes for years prior to the year 1907, when in truth and in fact such taxes have been paid, and which will result in oppression to very many people of this State, creates an emergency and an imperative public necessity for the suspension of the constitutional rule requiring bills to be read on three several days, and the same is hereby suspended and this law shall take effect, and be in force, from and after its passage, and it is so enacted.

(2) Amend the bill by striking out the caption and inserting in lieu thereof the following:

A BILL
To Be Entitled

An Act to amend an Act passed at the Regular Session of the Thirty-fourth Legislature, known as House Bill No. 40, and being Chapter 147 of the printed General Laws of said Session, being entitled "An Act making it the duty of tax collectors to prepare and mail notices and statements of delinquent taxes to the owners of real estate; prescribing the time

in which such notices or statements shall be mailed and the manner in which they shall be prepared; providing for the perfecting of the delinquent tax records of the various counties, and making it the duty of the tax collector to prepare such records in certain instances, together with supplements thereto; making it the duty of the county and district attorneys to file and institute suits for the collection of delinquent taxes; providing for the issuance of redemption receipts and other statements by tax collectors and for the approval of tax records by the commissioners' court and the Comptroller of Public Accounts; providing reasonable compensation for the additional duties prescribed in this Act for county officers, making provisions of this Act mandatory; repealing all laws and parts of laws in conflict herewith, and declaring an emergency;" providing reasonable compensation to tax assessors and other county officers mentioned in the Act for additional duties placed upon them by the Act; amending Article 7684 and Article 7662, Revised Statutes of 1911; providing periods within which suits to foreclose tax liens on land may be brought; prescribing limitations for tax liens, and declaring an emergency.

On motion of Senator Dean, S. B. No. 46, with pending amendments, was laid on the table subject to call.

House Bill No. 425.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 425 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.

Absent.
 Bailey. Page.
 Johnston of Harris. Suiter.
 McCollum. Woodward.
 McNealus.

Absent—Excused.

Decherd. Henderson.

The Chair laid before the Senate, on third reading,

H. B. No. 425, A bill to be entitled "An Act prescribing additional duties for the county attorney of Wichita County, and fixing his compensation for same."

The bill was read third time and passed by the following vote:

Yeas—22.

Alderdice. Harley.
 Bee. Hopkins.
 Buchanan of Bell. Hudspeth.
 Buchanan of Scurry. Johnson of Hall.
 Caldwell. King.
 Clark. Lattimore.
 Dayton. Parr.
 Dean. Robbins.
 Floyd. Smith.
 Gibson. Strickland.
 Hall. Westbrook.

Absent.

Bailey. Page.
 Johnston of Harris. Suiter.
 McCollum. Woodward.
 McNealus.

Absent—Excused.

Decherd. Henderson.

Senate Bill No. 452.

On motion of Senator Robbins, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 452 put on its second reading by the following vote:

Yeas—21.

Alderdice. Harley.
 Bee. Hopkins.
 Buchanan of Bell. Hudspeth.
 Buchanan of Scurry. Johnson of Hall.
 Caldwell. King.
 Clark. Lattimore.
 Dayton. Parr.
 Dean. Robbins.
 Floyd. Smith.
 Gibson. Westbrook.
 Hall.

Nays—1.

Strickland.

Absent.

Bailey. Page.
 Johnston of Harris. Suiter.
 McCollum. Woodward.
 McNealus.

Absent—Excused.

Decherd. Henderson.

The Chair laid before the Senate, on second reading:

S. B. No. 452, A bill to be entitled "An Act creating a more efficient road system for Henderson County, and repealing Chapter 3 of the special laws of the State of Texas known as Henderson County road law."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Robbins, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 452 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice. Harley.
 Bee. Hopkins.
 Buchanan of Bell. Hudspeth.
 Buchanan of Scurry. Johnson of Hall.
 Caldwell. King.
 Clark. Lattimore.
 Dayton. Parr.
 Dean. Robbins.
 Floyd. Smith.
 Gibson. Strickland.
 Hall. Westbrook.

Absent.

Bailey. Page.
 Johnston of Harris. Suiter.
 McCollum. Woodward.
 McNealus.

Absent—Excused.

Decherd. Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—22.

Alderdice. Buchanan of Bell.
 Bee. Buchanan of Scurry.

Caldwell.	Hudspeth.
Clark.	Johnson of Hall.
Dayton.	King.
Dean.	Lattimore.
Floyd.	Parr.
Gibson.	Robbins.
Hall.	Smith.
Harley.	Strickland.
Hopkins.	Westbrook.

Absent.

Bailey.	Page.
Johnston of Harris.	Suiter.
McCollum.	Woodward.
McNealus.	

Absent—Excused.

Decherd.	Henderson.
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House Bill No. 499.

The Chair laid before the Senate on second reading:

H. B. No. 499, A bill to be entitled "An Act to amend Sections 5, 6, 8, 9 and 29 of Chapter 106, General Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, so that hereafter said sections of Chapter 106 shall provide in substance for fixing the salaries of the members of the State Fire Insurance Commission; to limit the expenditure of said Commission in any one year to the sum produced by an assessment of one and one-fourth per cent of the gross premiums of all fire insurance companies doing business in this State; prescribing certain duties and powers of the State Fire Insurance Commission and the members thereof with respect to the fixing and promulgating of rates of premium, investigation of fires, and correction of fire hazards, and declaring an emergency."

The committee report that the bill be not printed was adopted.

Senator Gibson offered the following amendment, which was read and adopted:

(1) Amend the caption of H. B. No. 499 by striking out the words "Twenty-fourth" following the words "fourth called session of the," and insert in lieu thereof the words "Thirty-first."

The bill was read second time and passed to its third reading.

On motion of Senator Gibson, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 499 put on

its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.

Absent.

Bailey.	Page.
Johnston of Harris.	Suiter.
McCollum.	Woodward.
McNealus.	

Absent—Excused.

Decherd.	Henderson.
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The bill was laid before the Senate, read third time and passed finally.

House Bill No. 43.

The Chair laid before the Senate on second reading:

H. B. No. 43, A bill to be entitled "An Act to amend Sections 1 and 2 of Chapter 20 of the Acts of the First Called Session of the Thirty-fourth Legislature of Texas, 1915, relating to the pay of jail guards, and declaring an emergency."

The committee report carrying with it the adoption of the committee amendment was adopted.

Senator Hopkins offered the following amendment:

Amend House Bill No. 43, by striking out "shall" where it appears in line 13, page 4, and insert "may."

On motion of Senator Johnson of Hall, the amendment was tabled.

The bill was read second time and passed to its third reading.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 43 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Buchanan of Bell.
Bee.	Buchanan of Scurry.

Caldwell.	Hudspeth.
Clark.	Johnson of Hall.
Dayton.	King.
Dean.	Lattimore.
Floyd.	Parr.
Gibson.	Smith.
Hall.	Strickland.
Harley.	Westbrook.
Hopkins.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd. Henderson.

The bill was laid before the Senate, read third time and passed finally.

Senate Bill No. 334.

The Chair laid before the Senate on second reading:

S. B. No. 334, A bill to be entitled "An Act to make an emergency appropriation for the purpose of purchasing and installing a storage tank and other facilities to store and convey oil from the Southwest Texas State Normal, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Harley, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 334 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	McCollum.
Johnston of Harris.	McNealus.

Page.	Suiter.
Robbins.	Woodward.

Absent—Excused.

Decherd. Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd. Henderson.

Senate Joint Resolution No. 3.

The Chair laid before the Senate on second reading:

S. J. R. No. 3, To be entitled "A Joint Resolution proposing and submitting to a vote of the people of Texas an amendment to Section 9, Article 7, of the Constitution of the State of Texas, authorizing the levy of a special tax of not exceeding seventy-five cents on the one hundred dollars valuation and a vehicle tax of not exceeding one dollar on the one hundred dollars valuation for the improvement and maintenance of public roads."

Senator Caldwell offered the following amendments, which were read and adopted, being voted on separately:

Amend Senate Joint Resolution No. 3 as follows:

Line 23, page 1, insert after the word "and" the word "of."

Line 24, page 1, between the word "public" and the word "schools" insert the word "free."

Line 25, page 1, strike out the word "ever."

Line 27, page 1, by making the words "road" and "bridge" plural instead of singular.

Line 1, page 2, insert before the word "and" the words "a majority of."

Line 7, page 2, insert after the word "seventy" the word "five."

Line 11, page 2, insert before the word "improvement" the word "further."

Line 11, page 2, insert after the word "streets" the words "except animal drawn vehicles with tires not less than three and thirteen-sixteenths inches in width."

The resolution was read second time and passed to engrossment.

House Bill No. 624.

On motion of Senator Johnson of Hall, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 624 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd.	Henderson.
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The Chair laid before the Senate on third reading:

H. B. No. 624, A bill to be entitled "An Act creating the Abernathy Independent School District, situated in Hale and Lubbock Counties, etc., and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Parr.
Dayton.	Lattimore.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd.	Henderson.
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Senate Bill No. 343.

The Chair laid before the Senate on second reading:

S. B. No. 343, A bill to be entitled "An Act to amend Articles 7282, 7283, 7284, 7285, 7286, 7287 and 7289, Chapter 7, Title 124, of the Revised Civil Statutes of Texas, 1911, providing for the protection of stock raisers in certain localities, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 343 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd. Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd. Henderson.

Senate Bill No. 442.

The Chair laid before the Senate, on second reading:

S. B. No. 442, A bill to be entitled "An Act to amend Section 53, Article 1121, Title 25, Chapter 2, of Vernon's Sayles' Texas Civil Statutes, being the Act of the Thirtieth Legislature, Chapter 157, General Laws, page 299, and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report, with committee amendment, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator King, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 442 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Dayton.
Bee.	Dean.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Caldwell.	Hall.
Clark.	Harley.

Hopkins.	Parr.
Hudspeth.	Smith.
Johnson of Hall.	Strickland.
King.	Westbrook.
Lattimore.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd. Henderson.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—20.

Alderdice.	Hall.
Bee.	Harley.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Hudspeth.
Caldwell.	Johnson of Hall.
Clark.	King.
Dayton.	Lattimore.
Dean.	Parr.
Floyd.	Smith.
Gibson.	Strickland.

Nays—1.

Westbrook.

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd. Henderson.

Senate Bill No. 184.

The Chair laid before the Senate, on second reading:

S. B. No. 184, A bill to be entitled "An Act to amend Article 7491, Chapter 10, Title 126, of the Revised Civil Statutes of Texas, so as to authorize the Comptroller to appoint and contract with persons to collect inheritance taxes, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 184 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd.	Henderson.
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The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd.	Henderson.
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Senate Bill No. 385.

The Chair laid before the Senate, on third reading,

S. B. No. 385, A bill to be entitled "An Act to create a more efficient road law for Jim Wells County, Texas; fixing the compensation of the commissioners of Jim Well County when acting as ex officio road commissioners, and declaring an emergency."

Senator Parr offered an amendment which was read and unanimously adopted.

On motion of Senator Parr, the amendment was ordered not printed in the Journal.

The bill was laid before the Senate, read third time and passed by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd.	Henderson.
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Senate Bill No. 453.

On motion of Senator Strickland, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 453 put on its second reading by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd.	Henderson.
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The Chair laid before the Senate, on second reading:

S. B. 453, A bill to be entitled "An

Act fixing the salary of the Railroad Commisisoners of this State, and repealing all laws in conflict herewith."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Strickland, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 453 put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Bell.	Hudspeth.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	King.
Clark.	Lattimore.
Dayton.	Parr.
Dean.	Smith.
Floyd.	Strickland.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd. Henderson.

The bill was laid before the Senate, read third time and passed finally.

Senate Bill No. 408.

The Chair laid before the Senate, on second reading,

S. B. No. 408, A bill to be entitled "An Act to amend Article 7355, Chapter 1, Title 126, of the Revised Civil Statutes of Texas, 1911, by adding thereto Section 41 so as to exempt hobby horses, theatres, circuses, menageries, acrobatic performances, wax works and other forms of entertainment from an occupation tax when such hobby horses, theatres, circuses, menageries, acrobatic performances, slight of hand performances, wax works and other amusements or entertainments are operated in connection with and under the auspices of and for the benefit of county or dis-

trict agricultural fairs, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Smith, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 408 put on its third reading and final passage by the following vote:

Yeas—20.

Alderdice.	Harley.
Bee.	Hopkins.
Buchanan of Scurry.	Hudspeth.
Caldwell.	Johnson of Hall.
Clark.	King.
Dayton.	Lattimore.
Dean.	Parr.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Westbrook.

Nays—1.

Buchanan of Bell.

Absent.

Bailey.	Page.
Johnston of Harris.	Robbins.
McCollum.	Suiter.
McNealus.	Woodward.

Absent—Excused.

Decherd. Henderson.

The bill was laid before the Senate, read third time and passed finally.

Senate Bill No. 397.

The Chair laid before the Senate, on second reading,

S. B. No. 397, A bill to be entitled "An Act to provide for the establishment, maintenace and government of a State Normal College, to be located at Alpine in Brewster County, Texas, to be known as the 'Alpine State Normal College,' and declaring an emergency."

The committee report with committee amendment was adopted.

The bill was read second time and passed to engrossment.

Adjournment.

At 11:50 o'clock p. m., on motion of Senator Clark, the Senate adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Senator Bailey sent up and had read a petition sustaining the marketing and warehouse law.

A numerous signed petition from San Angelo opposing Senate Bill No. 219, was offered by Senator Hudspeth.

Senator Hudspeth offered numerous signed petitions from Buena Vista, Texas, opposing the repeal of the stock law in Pecos County.

A numerous signed petition from Kerr County was offered by Senator Bee, asking the Legislature to increase the jurisdiction of the justice and county courts of said county.

Senator Clark had read a letter from Sherman, Texas, endorsing Senate Bill No. 169, requiring the proper labeling of seeds.

Engrossing Committee Reports.

Committee Room,

Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 354 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 406 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,

Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Engrossed Bills has had Senate Bill No. 414 carefully compared, and finds the same correctly engrossed.

ALDERDICE, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, March 2, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred

S. B. No. 435, A bill to be entitled "An Act to define and provide for organizing and disciplining the militia of the State of Texas, and defining the National Guard of Texas so as to conform with the National Defense Act, enacted by the Sixty-fourth Congress of the United States, approved June 3, 1916; creating the office of the Adjutant General of the State of Texas, and providing for the appointment of necessary clerks and assistants; to prescribe the duties of the Governor, the Adjutant General, and all officers and enlisted men of the National Guard of Texas; to define military offenses; to provide for punishment thereof, prescribing articles of war; providing for the creation of military courts and boards, and the military trial court, and prescribing their procedure; providing for draft from the unorganized militia in time of war; providing for pay, transportation and subsistence of the officers and enlisted men of the National Guard of Texas, when in actual service of the State; and to repeal Chapters 1, 2, 3, Title 91, Revised Civil Statutes, 1911, and all other laws and parts of laws in conflict herewith."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

Robbins, Chairman; Bee, Harley, Suiter, Johnson, Woodward.

Committee Room,

Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 599, A bill to be entitled "An Act to amend Chapter 86, General Laws, 1901, to create a more efficient road system for Erath County, in this State, and making the county commissioners of the county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners; and pro-

viding for the condemning of public roads and to provide for the compensation for the material used and providing for the working of county convicts on the public roads, and the purchase of supplies for such convicts, and rewards for the capture of escaped convicts and for commutation of sentence for faithful service and good behavior; providing that salary of the commissioners shall be paid out of a general county fund, providing for repeal of road overseer system, providing for payment of \$5.00 instead of road service of hands subject to road duty, and providing further for ordering an election to be held in said county by the qualified voters to determine whether or not an additional annual ad valorem tax for road and bridge purposes shall be levied and collected in said county; making this Act cumulative of the General Laws now in force, and to repeal all laws in conflict with this Act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

Caldwell, Chairman; Gibson, Buchanan of Scurry, Floyd, Clark, Strickland.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 451, A bill to be entitled "An Act to repeal Chapter 72, Local and Special Laws of Texas passed at the Regular Session of the Thirty-fourth Legislature, said Chapter being an Act to create a special road law for Johnson County; to provide for a special road tax; to provide for four precinct road superintendents; providing for salaries and bonds of said superintendents, and specifying duties of said precinct road superintendents, also the salary of county commissioners for road inspection; regulating the hiring of teams on said roads, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the

same back to the Senate, with the recommendation that it do pass, and be not printed.

Caldwell, Chairman; Gibson, Buchanan of Scurry, Floyd, Clark, Strickland.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 442, A bill to be entitled "An Act to amend Section 53, Article 1121, Title 25, Chapter 2 of the Revised Civil Statutes of Texas,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, with the following committee amendments, and that the bill be not printed.

Committee Amendment No. 1:

Amend the caption so as to read as follows:

"A bill to be entitled an Act to amend Section 53 of Article 1121, Title 25, Chapter 2, of the Revised Civil Statutes of the State of Texas, adopted in 1911, by extending the present charter powers of terminal railways so that when such terminal railways are adjacent to any inland stream or water body, they shall have the right to construct, erect, operate and maintain all necessary and convenient facilities to accommodate and handle the exchange of freight and passenger traffic with any and all vessels and water craft using such waterway; and declaring an emergency."

Committee Amendment No. 2:

Amend line 2, Section 1 by striking out the words "Vernon's Sayles' Texas Civil Statutes" and inserting in lieu thereof the words "Revised Texas Civil Statutes, 1911."

McCollum, Chairman; Dayton, Lattimore, Gibson, King, Smith, Strickland.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a majority of your Committee on State Affairs, to whom was referred

S. B. No. 453, A bill to be entitled

"An Act fixing the salaries of the Railroad Commissioners of this State, repealing all laws in conflict therewith."

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

McCollum, Chairman; Gibson, Strickland, Smith, King, Lattimore.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 445, A bill to be entitled "An Act to create a more efficient road law for Mason County, Texas, by amending Chapter 67, of the Special Laws of the Thirty-second Legislature, 1911, and to provide for the appointment of a superintendent of public roads and bridges for Mason County, and to provide his qualifications, term of office and salary, defining his duties and powers, and providing for punishment for violation of his duties; providing certain duties and powers of the commissioners' court of said county; providing for the appointment of overseers and defining their duties; and providing for and fixing their compensation for certain labor; giving persons subject to road duty in Mason County, and persons summoned to work the roads in said county the right to be relieved from the discharge of such duty upon the payment of specific sums of money herein stipulated, and providing for the accounting of, and the disposition to be made of the money so paid; limiting the purpose for which road and bridge funds shall be used; authorizing and providing the working of county convicts upon the public roads, and providing for the payment of officers' fees; providing that delinquent poll tax payers shall be subject to three days' road duty; requiring the tax collector of Mason County to furnish to the commissioners' court a list of all persons who fail to pay their poll tax; providing for the condemnation of any lands needed for the widening, straightening, changing or draining

of public roads; providing for the taking of timber, gravel, earth, stone or other material for the making or improving of public roads and bridges, providing the method in which payments shall be made for road work in Mason County; providing penalties for the violation of provisions of this Act; providing that this Act be cumulative of the General Law, but shall control in Mason County in all cases wherein it conflicts with the General Law on the subject of roads and bridges, and declaring an emergency."

Have had the same under consideration, and beg to report it back to the Senate, with the recommendation that it do pass, and be not printed.

Caldwell, Chairman; Buchanan of Scurry, Gibson, Floyd, Strickland, Smith, Clark.

(Majority Report.)

Committee Room,

Austin, Texas, February 28, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 655, A bill to be entitled "An Act to amend Article 923f of the Penal Code of this State as enacted by Chapter 135 of the Acts of the Regular Session of the Thirty-third Legislature of the State of Texas, so as to exempt therefrom the Counties of Hood and Somervell as to the waters of the Brazos River, and as to the waters of Paluxy Creek from the first day of July to the first day of January of each year and provided that gigging and grabbing is and shall be prohibited in both streams at all times, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the bill back to the Senate, with the recommendation that it do pass.

PAGE, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, February 28, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Com-

mittee on Criminal Jurisprudence, to whom was referred

H. B. No. 655,

Have had the same under consideration, and beg leave to report the bill back to the Senate, with the recommendation that it do not pass.

CALDWELL,
PAGE,
SUITER.

Committee Room,
Austin, Texas, February 28, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 73, A bill to be entitled "An Act declaring it the duty of the owner entitled to the beneficial use, rental or control of, or in case of a non-resident, the occupant or lessee of any building three or more stories in height, constructed, used or intended to be used, as a hospital, seminary, college, academy, school house, dormitory, hotel, lodging house, apartment house, rooming house, boarding house, theater, or any place of public amusement, lodge, hotel, or any hall used for public gatherings, or any manufacturing establishment, or industrial plant, wholesale or retail store, work shop, warehouse, office building, or any building erected by any municipal, county or State authority wherein public assemblies are permitted, or sleeping apartments are provided on any floor above the second, to erect and fix every such building one or more fire escapes; defining the number of such fire escapes; providing the number of fire escapes for buildings six or more stories in height; providing the location of fire escapes; providing for the erection of stairways, character, kind and number of stairways which are to be constructed, and the location of the same; defining what shall be considered a story of a building within this Act; defining adequate fire escapes; conferring certain duties relative to the administration of this Act upon the Fire Marshal of the State Fire Insurance Commission; providing that guide signs and exit lights shall be placed in buildings within the terms of the Act and making it unlawful to obstruct in any manner fire escapes or corridors leading thereto; declaring that

the Fire Marshal of the State Fire Insurance Commission shall have general charge and supervision of the enforcement of the provisions of this Act; making it the duty of the inspectors of the State Fire Insurance Commission or chiefs of fire departments and Fire Marshals of the State to assist said Fire Marshal of the State Fire Insurance Commission; providing for the issuance and services of notices in cases where fire escapes should be erected on buildings; provided that the occupant or lessee of any building who is required to erect fire escapes under this Act shall be entitled to reimburse themselves for the cost and expense of erecting fire escapes, out of the rent or lease money of said premises; conferring certain authority upon the Attorney General of the State, and county and district attorneys, and making it the duty of the latter upon the direction of the Attorney General, to bring action by injunction for the enforcement of this Act; authorizing the court to take charge of buildings where fire escapes have not been erected by writ of sequestration; creating and defining offenses in violation of this Act, prescribing the punishment therefor; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the bill back to the Senate, with the recommendation that it do pass.

PAGE, Chairman.

Committee Room,
Austin, Texas, February 28, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 549, A bill to be entitled "An Act to prevent the unnecessary cruelty in catching or killing of wild animals and to prevent live stock and other domestic animals from injury, and to prevent the extermination of wild animals usually hunted for sport, and to forbid the setting of any trap, snare or device for taking, snaring, trapping or catching of same and to prevent the taking, catching, killing or trapping of such

animals and to provide a punishment for so doing."

Have had the same under consideration, and I am instructed to report the bill back to the Senate, with the recommendation that it do pass.

PAGE, Chairman.

Committee Room,

Austin, Texas, February 28, 1917.

Hon. W. P. Hobby, President of the Senate,

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 619, A bill to be entitled "An Act to prevent the selling of bass and white perch, or crappie, taken from the fresh waters in the County of Coryell, State of Texas; making it unlawful to use any dynamite or other explosives in the killing or catching of any fish in any of the fresh waters of said county, and providing a penalty for the violation thereof; prohibiting the use of any seine, drag net, trammel net or other net other than a minnow seine, which shall not be more than ten feet in length and the meshes of which shall not be smaller than one-fourth inch; limiting the number of fish to be taken in one day; providing that the district judge of the judicial district in which Coryell County is situated shall give a special charge upon this law to the grand juries of Coryell County; providing a penalty for the violation hereof, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the bill back to the Senate, with the recommendation that it do pass.

PAGE, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 452, A bill to be entitled "An Act to create a more efficient road system for Henderson County, Texas, making the county commissioners ex officio road commissioners, defining the duties of road commissioners; providing for the appoint-

ment of road overseer and defining their duties, terms and office, etc., requiring county commissioners to sectionize and class public roads, etc., providing for the working of county convicts and the payment of officers' costs; placing all road hands under the jurisdiction and in control of road commissioners and road overseers; providing for the duties of road hands, number of days required of each per year; relieving all persons liable to road duty upon payment of \$4.00 on or before the first of March of each year; compensating road commissioners for service rendered in supervising roads, permitting the commissioners' court to compensate the road overseer for service rendered in excess of six days, providing that seventy-five per cent of the moneys collected in lieu of work on roads shall be placed in the county treasury, subject to the road division from whence it came; and providing that the remaining twenty-five per cent shall be placed in the county treasury to the credit of the commissioners' precinct from which it came, to be expended at the option of the commissioner of such precinct; making this law cumulative of the General Laws of the State of Texas, and in case of conflict with the General Laws this Act shall control as to Henderson County; repealing an Act known as Chapter 3, of the Special Laws known as Henderson County Road Law, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, and be not printed.

Caldwell, Chairman; Smith, Buchanan of Scurry, Floyd, Clark, Gibson, Strickland.

Committee Room,

Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

S. B. No. 426, A bill to be entitled "An Act providing that the nominations by political parties of candidates for offices of cities, of counties, or of subdivisions of counties and of districts where their territorial extent is limited to a particular county

or part of same, shall be made either by a party convention or by a party primary election as now provided by law, and that the nominations by political parties of candidates for all other offices shall be made by a primary convention held under the control and direction of the proper executive committee of the particular political party; and providing regulations for the holding of such primary conventions and of the preliminary conventions to select delegates thereto, etc.,"

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass.

DAYTON, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

S. B. No. 411, A bill to be entitled "An Act authorizing traveling men and all other persons unavoidably absent from their voting places on primary election days to vote by mail; providing under what circumstances they may vote; providing penalty for violation of this Act, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass.

DAYTON, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, a minority of your Committee on Privileges and Elections, to whom was referred

S. B. No. 411,

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do not pass.

PAGE.

Committee Room,
Austin, Texas, February 28, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 502, A bill to be entitled "An Act to amend Article 421 of the Penal Code of the State of Texas, to further define "barratry," so as to include the fomenting of litigation for profit and by persons in addition to attorneys at law by soliciting employment or advancing money or other things of value to the parties to litigations in order to procure employment,"

Have had the same under consideration, and I am instructed to report the bill back to the Senate, with the recommendation that it do pass.

PAGE, Chairman.

Committee Room,
Austin, Texas, February 28, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. C. R. No. 7, "A resolution Memorializing the Representatives of Texas in the Congress of the United States to oppose a bill introduced in the United States Senate, giving effect to a convention between the United States and Great Britain with reference to the protection of migratory birds,"

Have had the same under consideration, and I am instructed to report the resolution back to the Senate, with the recommendation that it do not pass.

PAGE, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 447, A bill to be entitled "An Act to amend Chapter 10 of the Acts of the Thirty-third Legislature so as hereafter to read as follows,"

Have had the same under consideration, and beg to report it back to

the Senate, with the recommendation that it do pass, and be not printed.

Caldwell, Chairman; Buchanan of Scurry, Floyd, Gibson, Strickland, Clark.

Committee Room,

Austin, Texas, February 28, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Internal Improvements, to whom was referred

S. B. No. 309, A bill to be entitled "An Act to amend an Act of the Thirty-third Legislature, page 116, entitled 'An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed, or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency,' so as to relieve railway corporations having charters dated since January 1, 1892, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass, with the following committee amendment at the end of Section 2:

"Provided, that the provisions of this Act nor the rights or privileges extended thereunder shall apply to the Kansas City, Mexico and Orient Railway of Texas."

JOHNSON, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 437, A bill to be entitled "An Act to amend Chapter 4, of Title 22, of the Revised Civil Statutes of the State of Texas, by adding thereto Article 839a, empowering cities and towns incorporated under the General Law, and those to be incorporated under the General Law, and the commissioners' courts of the several counties to make rules and regulations by ordinance and order effecting the control and elimination of contagious and infectious diseases and prescribing rules of health as

prerequisite for admission to institutions of learning, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do pass and be not printed.

McNealus, Chairman; Clark, Bee, Strickland, Smith.

(Floor Report.)

Senate Chamber,

Austin, Texas, February 28, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 421, A bill to be entitled "An Act validating all common school districts in this State heretofore created, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate, with the recommendation that it do pass and be printed in the Journal only.

Bee, Chairman; Bailey, Lattimore, Page, Gibson, Dayton, Floyd, Smith, Robbins, Dean.

By Hudspeth.

S. B. No. 421.

A BILL To Be Entitled

An Act validating all common school districts in this State heretofore created, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. All common school districts in this State heretofore laid out and attempted to be established by the proper school officers of any county and heretofore recognized by said county authorities as school districts of said counties, and all common school districts heretofore created, lying partly in an organized and partly in an unorganized county, by the commissioners court of any organized county, are hereby validated in all respects as though they had been duly and legally established in the first instance.

Sec. 2. The fact that there is a great demand for such a law as this in the interest of education creates an emergency and imperative public necessity that the constitutional rule

which requires bills to be read on three several days be suspended and this Act take effect and be in force from and after its passage, and it is so enacted.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 446, A bill to be entitled "An Act to amend Section 141, Chapter 124, of the General Laws of the Twenty-ninth Legislature, page 301, so as to except from provisions thereof incorporated towns operating under special charter which have assumed the control of the public schools within their limits, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate, with the recommendation that it do pass, and be printed in the Journal only.

Bee, chairman; Page, Buchanan of Scurry, Gibson, Smith, Alderdice, Harley, Robbins, Bailey, Floyd, Dean, Dayton, Lattimore.

By Hudspeth. S. B. No. 446.

An Act to amend Section 141, Chapter 124, of the General Laws of the Twenty-ninth Legislature, page 301, so as to except from the provisions thereof incorporated cities and towns operating under special charter which have assumed the control of the public schools within their limits, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

That Section 141 of the General Acts of the Twenty-ninth Legislature, page 301, be amended so as to read as follows:

Section 1. If, at an election held for that purpose at which none but property taxpayers, as shown by the last assessment rolls, who are qualified voters of such city or town shall vote, two-thirds of those voting shall vote in favor thereof, such an amount shall be raised by taxation not to exceed one-half of one per cent, in addition to the pro rata of the available school fund received from the

State, as may be necessary to conduct the schools for ten months in the year, provided that the foregoing limitation on the amount of said tax shall not apply to incorporated cities and towns operating under special charter which have assumed control of the public schools within their limits.

Sec. 2. The crowded condition of the calendar, the near approach of the end of the session and the lack of adequate facilities and taxation in the larger cities of the State to provide for the operation and maintenance of its public schools, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

(Floor Report.)

Senate Chamber,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 373, A bill to be entitled "An Act providing for the sale, lease, extension or mortgage by the Prison Commission by and with the approval and consent of the Governor, of the railroad now owned by the State, extending from Rusk, in Cherokee County, to Palestine, in Anderson County, and for its maintenance, equipment and operation, providing for condemning the right of way and material therefor, providing for condemnation proceedings; providing for the issuance of bonds by the Prison Commission in an amount sufficient for the extension of such road; providing that said Prison Commission, with the approval and consent of the Governor, may accept donations and gifts, either money or lands, or other necessities for the extension of said road; providing that the rate of interest of said bonds may be such as to said Prison Commission shall seem best; providing for the redemption of said bonds; providing that the Railroad Commission of Texas shall have jurisdiction over traffic to compel a fair division of freight and passenger charges between said railroad and all connecting lines therewith:

providing that said Prison Commission shall enforce and obey the orders and regulations of the Railroad Commission; providing for working State convicts in the construction of said roads, and providing that said Prison Commission with the approval and consent of the Governor, may do any and all things with said Texas State railroad that an individual could do if he owned it, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and beg to report it back with the recommendation that it do pass, and be printed in the Journal only.

McCollum, Chairman; Strickland, King, Gibson, Dayton, Lattimore, Smith, Robbins.

By Jno. R. Moore. H. B. No. 373.

A BILL
To Be Entitled

An Act providing for the sale, lease, extension or mortgage by the Prison Commission by and with the approval and consent of the Governor, of the railroad now owned by the State extending from Rusk, in Cherokee County, to Palestine, in Anderson County, and for its maintenance, equipment and operation, providing for condemning the right of way and material therefor, providing for condemnation proceedings; providing for the issuance of bonds by the Prison Commission in an amount sufficient for the extension of said road; providing that said Prison Commission, with the approval and consent of the Governor, may accept donations and gifts, either in money or lands, or other necessities for the extension of said road; providing that the rate of interest of said bonds may be such as to the said Prison Commission shall seem best; providing for the redemption of said bonds; providing that Railroad Commission of Texas shall have jurisdiction over traffic to compel a fair division of freight and passenger charges between said railroad and all connecting lines therewith; providing that said Prison Commission shall enforce and obey the orders and

regulations of the Railroad Commission; providing for working the State convicts in the construction of said road and providing that said Prison Commission, with the approval and consent of the Governor, may do any and all things with said Texas State Railroad that an individual could do if he owned it, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the Prison Commission be and they are hereby authorized, together with the consent and approval of the Governor, to exercise full and plenary control of said State Railroad, and that they be given full authority to sell said railroad to another railroad corporation now in existence or hereafter to be formed, and to receive in payment therefor for the benefit and use of the State, cash or stocks of said railroad corporation or the bonds of said railroad corporation or both, or to charter the State Railroad into a separate corporation and said railroad corporation shall have power to issue bonds, debentures and mortgages to secure same and drawing any rate of interest which to said Prison Commission shall seem best, and to give generally and specially to said Prison Commission, acting with and by the consent and approval of the Governor, authority to sell, lease or extend said railroad, and to do any and all things in the disposition, sale, lease, mortgage, extension or otherwise which an individual might do if he owned the said Texas State Railroad; provided, especially, that the credit of the State shall not be given impliedly or expressly, and all persons dealing with the Prison Commission and the Governor with reference to the management or disposition of said railroad be and are hereby put on notice that the credit of the State is not bound morally or expressly. Provided that in no event shall said railroad be sold unless a cash payment be made at the time of such sale, equal to the face value and accrued interest of bonds owned by the school fund of Texas, and provided further, that the proceeds derived from such sale shall be applied

to the payment of the bonds as held by the school fund of Texas.

Sec. 2. Should an extension of the road be deemed by the Prison Commission and the Governor advisable, it shall be their duty to extend, build and construct said railroad to Waco, Texas, or to Dallas, Texas, or to Shreveport, Louisiana, or to Alexandria, Louisiana, or to any two of said places or any other commercial center within reasonable distance, as said Prison Commission may determine by and with the consent and approval of the Governor, after taking into the most careful consideration the advantages offered by the section to be traversed by the proposed line of extension, the needs of such section for new or additional railroad facilities, the probable development that may be the result in such section of the said extension, the inducements that may be offered by the cities, towns and villages and the country through or near which such extended line or railroad might run, and the probable returns in freight and passenger traffic to the road, having a view both to the present and the future; and the Prison Commission is hereby authorized to maintain, equip and operate said State Railroad, and any and all such extensions thereof, to purchase therefor such equipment, rolling stock, engines, and other equipment as said Prison Commission may deem necessary or expedient; said Prison Commission shall also be and they are hereby authorized to build, construct, maintain, operate in connection with and along said State Railroad over the right of way thereof an electric telephone or telegraph line.

Sec. 3. Whenever it shall be or become necessary to take, occupy or use any land or material for the purpose of constructing, building, draining or maintaining the said extension or extensions of said railroad, or for the purpose of draining or maintaining any portion of said State Railroad, including any and all extensions thereof, or for the purpose of constructing and maintaining turn-outs, sidings and switches therefor, or for the purpose of erecting and maintaining depots thereon, or for the purpose of forming and maintaining any connection with any

other railroad or railroads, said Prison Commission shall have full power and authority to enter upon, take, occupy and use such land, first paying therefor, however, the value and price thereof, if the owner thereof and said Prison Commission can agree on the value of the land so taken and the amount of damages, if any, to be paid by said Commission; but if such owner of such land and said Prison Commission cannot agree thereon, said Commission may proceed to condemn any and all such land in the same manner, so far as applicable, that a railroad corporation, under the laws now existing, or to be hereafter passed, may condemn the land for right of way, and in so far as such proceedings may be applicable, the same proceedings may be had, and as to each party, the same rights shall exist as would exist if such proceedings in condemnation were by or on behalf of a railroad corporation, except that in no case shall said Prison Commission or the State of Texas be required to give bond.

Sec. 4. Any and all proceedings in condemnation provided for by this Act shall be instituted and prosecuted in the name of the State of Texas, for the use of said Prison Commission and their successors in office, and any and all judgments and decrees or condemnation in such proceedings, and any and all deeds for any and all such lands which may be acquired by said Commission for any of the purposes mentioned in this Act shall run accordingly.

Any and all such condemnation proceedings shall be instituted and prosecuted by the county attorney of the county in which such land or material may be situated, and as compensation for such services, such county attorney shall be entitled to receive and shall be paid by said Commission, out of the current revenues, reasonable fees not exceeding in any instance more than ten per cent of the price which said Commission shall pay for such condemned land or material.

Sec. 5. In order to obtain and secure repayment of the necessary money with which to carry into effect the provisions of this Act, said Prison Commission shall be, and they are hereby authorized to have printed and executed, as herein provided,

mortgage in such form and such amount or amounts as said Prison Commission may determine, bearing interest from date, at the rate not exceeding six per cent per annum, payable as said Prison Commission may determine and as indicated upon the coupons thereof, which shall be attached to such bonds, said bonds maturing twenty years from the date of their issuance, with an option of redemption after ten years. Each and all of said bonds may be secured by a mortgage lien upon said line of railroad and all extensions thereof authorized by this Act, and embracing its entire right of way, franchise, depot buildings, and grounds, equipment, rolling stock, engines and cars.

The form of such bonds and coupons shall be approved by the Attorney General and all such bonds and coupons shall be signed by the chairman and secretary of the Prison Commission, and such bonds shall be countersigned by the Governor; provided, especially, that the credit of the State shall not be given impliedly or expressly, and all persons dealing with the Prison Commission or the Governor on any matter pertaining to the management or disposition of said railroad are hereby put on notice that the credit of the State is not bound morally or expressly. All expenses connected with the extension, equipment and operation of said railroad and telegraph and telephone lines shall be paid only from proceeds of sale of such bonds or debentures from donations made to such railroad and from net income from operation thereof. No part of any other money belonging to the State or the Prison Commission shall be expended in connection with such construction, extension, equipment or operation, nor with the purchase of right of way, depot grounds and buildings or other appurtenance of such railroad. If any convicts are worked thereon, the same sums shall be paid to the Prison Commission for their labor as is paid for their labor by counties working convicts on the public roads. The Prison Commission shall pay into the treasury of such railroad for freight carried over said road for it the same sums as are charged other persons for like service. All moneys belonging to such railroad shall be kept separate from moneys of the Prison Commission

and separate account thereof shall be kept.

Sec. 6. The Prison Commission are hereby authorized to accept donations and gifts, either in money or lands, or other necessities to be used in the extension of said road.

Sec. 7. The Prison Commission are hereby authorized to employ the State convicts in the construction of extensions of said railroad and to enter said convicts into the service of any corporation that may have in hand the building of said railroad, said convicts, however, to be worked under the direct supervision and control of the Prison Commission, but in no event shall such convicts be employed or used in the operation of handling of any train or car upon said railroad which may be used or operated thereupon in transportation for hire either passenger or freight.

Sec. 8. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 9. The Railroad Commission of Texas shall have the same jurisdiction and power over the traffic carried on and over said railroad and with respect to divisions of traffic charges between said railroad and connecting lines of railroad as said Commission has, or may hereafter have by law, in the matter of compelling lines of railway corporations in this State, and it shall be and is hereby made the duty of the Prison Commission of this State to obey and enforce all rules, regulations, rates and divisions relating to such traffic charges as are made and fixed by the Railroad Commission of Texas.

Sec. 10. The fact that there now exists no law providing for means for the extension of said railroad or giving to any man or set of men the right to sell, lease, mortgage or otherwise handle said railroad on a profitable basis, and the fact as it now exists it can not be made a paying proposition for the State, owing to the shortness of the line, and owing to the fact that it has no connection with any city or large manufacturing center, and the fact that it is necessary in order to protect the best interests of the State and the taxpayers thereof to vest in said Commission, with the approval and consent of the Governor, full and plenary control of said railroad, to do any and all things as completely and effectively as an individual

might do if he owned said railroad, creates an emergency and an imperative public necessity requiring the constitutional rule which provides that bills be read on three several days be suspended, and it is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Enrolling Committee Reports.

Committee Room,
Austin, Texas, March 1, 1917.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 37 and find it correctly enrolled, and have this day presented same to the Governor for his approval.

SMITH, Chairman.

By Parr.

S. B. No. 37.

AN ACT To Be Entitled

An Act to amend Article 6775, Title 117, Chapter 1, of the Revised Civil Statutes of the State of Texas, of 1911, relating to the transcribing of county records for new counties so as to authorize a reasonable compensation for such work to be allowed by the commissioners' court in the order authorizing such work and to be paid out of the County Treasury of the newly created county, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 6775 of Chapter 1, of Title 117, of the Revised Civil Statutes of 1911, be so amended as to hereafter read as follows:

Article 6775. The county clerk or person making such transcript shall be entitled to a reasonable compensation for transcribing, comparing and verifying said records of not to exceed fifteen (15c) cents for each one hundred words, the amount of such compensation to be fixed by the commissioners court in the order authorizing and empowering the clerk to transcribe, compare and verify such records; said compensation to be paid out of the county treasury upon warrant issued under the orders of the commissioners court of the newly created county.

Sec. 2. The fact that some of the counties of this State have not their records transcribed at this time and the fact that some of those counties can have same transcribed at less cost than under the present law creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and it is so suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

FORTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
Friday, March 2, 1917.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Senator Gibson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hudspeth.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	King.
Buchanan of Scurry.	Lattimore.
Caldwell.	McCollum.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Decherd.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Harley.	Woodward.
Hopkins.	

Absent.

Robbins.

Absent—Excused.

Henderson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Dean.

Excused.

Senator Henderson, for yesterday and indefinitely, on account of sickness, on motion of Senator Bee.

Chairman Named.

In accordance with Rule 5, the Chair names Senator Gibson to per-